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FILE NO. 091482 MOTION NO. M10-1

[Adopting Findings Related to Affirming the Exemption Determination Issued for the 2750 Vallejo Street Project]

Motion adopting findings related to affirming the exemption determination by the Planning Department that the 2750 Vallejo Street project is exempt from environmental review.

On May 6, 2009,the Planning Department determined that a proposal to alter the façade and construct rear and side horizontal additions to an existing three-story (at the street), single-family residence in an RH-1 (D) and a 40-X Height and Bulk District, located at 2750 Vallejo Street (the "Project") was exempt/excluded from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter 31 (the "exemption determination"). By letter to the Clerk of the Board of Supervisors dated November 5, 2009, Robert A. Byrum and Dona S. Byrum ("Appellants") filed an appeal of the exemption determination to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around November 6, 2009.

On December 15, 2009, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellant and following the public hearing affirmed the exemption determination by the Planning Department that the Project is exempt/excluded from environmental review.

In reviewing the appeal of the categorical exemption determination, this Board reviewed and considered the exemption determination, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the

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Board of Supervisors affirmed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. Said Motion and written record is in the Clerk of the Board of Supervisors File No. 091310 and is incorporated in this motion as though set forth in its entirety.

In regard to said decision, this Board made certain findings specifying the basis for its decision to affirm the Planning Department's approval of the exemption determination for the Project based on the whole record before the Board of Supervisors including the written record in File No. 091309, which is hereby declared to be a part of this motion as if set forth fully in this motion; the written submissions to and the official written records of the exemption determination related to the Project; the official written and oral testimony at and audio and video records of the public hearing in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination made by the Planning Department that the Project is exempt/excluded from environmental review.

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the Project qualifies for a exemption determination under CEQA Guidelines Section 15301(e)(1) as a minor alteration of an existing private, single-family residence that involves a negligible or no expansion of the existing use. The

approximately 2,500 square foot addition to the existing 5,500 square foot structure will maintain the building as a single-family residence, and consistent with Section 15301(e)(1) not result in an increase to the existing structure of more than 50 percent of the floor area of the structure or 2,500 square feet, whichever is less.

FURTHER MOVED, that the Board of Supervisors finds that there are no special circumstances present in this case that would require the preparation of a negative declaration or an environmental impact report for the Project under CEQA and CEQA Guidelines for the following reasons:

(1) The Board, based on its review of the entire record, concurs with the Planning Department's determination that there is substantial evidence to supports its conclusion that the structure, a single-family detached home in the First Bay Tradition style, constructed circa 1905, is a contributor to a potential historic district and as such is a presumed historic resource; the Board further concurs with Planning that there is not substantial evidence to support a conclusion that the structure is an individual historic resource.

(2) The project would not cause a significant adverse change in a historic resource. The character-defining features of the historic resource, as a contributor to a potential historic district, are the features of the structure, particularly massing, proportions, fenestration and roofline, that contribute to a streetscape of 19th and 20th century, architecture-designed, single-family residences, generally featuring 2-3 story structures, with clear articulated facades of a base, body and roofline, traditional cladding such as wood, stucco and brick and wood-frame, wood sash windows. Consistent with the *Secretary of Interior Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* ("Standards") the addition to the side and rear of the building and re-introduction and restoration of front façade details will maintain the character-defining features of the structure that contribute to the potential historic district. Consequently,

there is not substantial evidence of a fair argument that the project will have a significant impact on a historic resource.

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1 Dr. Carlton B. Goodlett Place
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File Number: 091482 **Date Passed:** January 05, 2010

Motion adopting findings related to affirming the exemption determination by the Planning Department that the 2750 Vallejo Street project is exempt from environmental review.

December 30, 2009 Board of Supervisors - REFERRED

January 05, 2010 Board of Supervisors - APPROVED

Ayes: 8 - Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 3 - Alioto-Pier, Avalos and Daly

File No. 091482

I hereby certify that the foregoing Motion was APPROVED on 1/5/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 091466 MOTION NO. M10-2

[2010 Board of Supervisors Regular Meeting Schedule]

Motion revising the 2010 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 19, February 16, June 1, July 6, October 12, and November 30; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 11 through September 3, 2010 and December 15 through December 31, 2010.

WHEREAS, The Board of Supervisors (Board) Rules of Order Section 6.2 states the Board shall hold a regular meeting in the Chamber in City Hall each week at 2:00 pm on Tuesday, unless it is a holiday, in which case the meeting shall be canceled; and

WHEREAS, The Rules of Order Section 6.2, also states the Board shall not meet during the week after Thanksgiving, nor between December 24 and December 31, inclusive, and the Board does not traditionally meet the week of December 24; and

WHEREAS, Similar to other sitting legislative bodies in the United States, the Board has established recess periods during the summer and winter which members of the Board may plan to be away, without missing any Board or Committee meetings or other important public business, and without causing difficulties in achieving a quorum; now therefore, be it

RESOLVED, That the following regular Tuesday Board meetings, following a Monday holiday be canceled: January 19, (Martin Luther King Jr. Day); February 16, (Presidents Day); June 1, (Memorial Day); July 6, (Independence Day); October 12, (Columbus Day); November 30, (Week after Thanksgiving); and, be it

FURTHER RESOLVED, That pursuant to the established tradition of summer and winter recess periods, the Board and Committee meetings scheduled from August 11 through September 3, 2010, and December 15 through December 31, 2010 are canceled.

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File Number: 091466 **Date Passed:** January 05, 2010

Motion revising the 2010 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 19, February 16, June 1, July 6, October 12, and November 30; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 11 through September 3, 2010, and December 15 through December 31, 2010.

January 05, 2010 Board of Supervisors - APPROVED

Ayes: 8 - Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

Excused: 3 - Alioto-Pier, Avalos and Daly

File No. 091466

I hereby certify that the foregoing Motion was APPROVED on 1/5/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 091471 MOTION NO. M10-3

[Final Map 5548: 83 – 85 Brady Street]

Motion approving Final Map 5548, a Six Residential Unit Condominium Project, located at 83 – 85 Brady Street being a subdivision of Lot 022 in Assessors Block No. 3505 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5548", comprising 2 sheets. approved November 23, 2009, by Department of Public Works Order No. 178, 426 is hereby approved and said map is adopted as an Official Final Map 5548; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated April 29, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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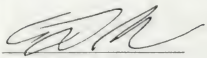
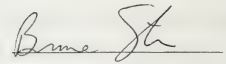
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 091471 **Date Passed:** January 05, 2010

Motion approving Final Map 5548, a Six Residential Unit Condominium Project, located at 83 - 85 Brady Street being a subdivision of Lot 022 in Assessors Block No. 3505 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (District 6)

January 05, 2010 Board of Supervisors - APPROVED

Ayes: 8 - Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

Excused: 3 - Alioto-Pier, Avalos and Daly

File No. 091471

I hereby certify that the foregoing Motion was APPROVED on 1/5/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 091484 MOTION NO. M10-4

[Committee of the Whole – Annulling the privilege to occupy certain subsidewalk basement encroachments to accommodate the Central Subway Project]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on January 12, 2010, to hold a public hearing on File No. 091479, a resolution annulling the privilege to occupy certain subsidewalk basement encroachments along 4th, Ellis, Geary, Market, O'Farrell and Stockton Streets to accommodate the construction of the Central Subway project.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on January 12, 2010, to consider File No. 091479, a resolution annulling the privilege to occupy certain subsidewalk basement encroachments along 4th, Ellis, Geary, Market, O'Farrell and Stockton Streets to accommodate the construction of the Central Subway project.

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Motion: M10-4

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File Number: 091484 **Date Passed:** January 05, 2010

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on January 12, 2010, to hold a public hearing on File No. 091479, a resolution annulling the privilege to occupy certain subsidewalk basement encroachments along 4th, Ellis, Geary, Market, O'Farrell, and Stockon Streets to accommodate the construction of the Central Subway Project.

January 05, 2010 Board of Supervisors - APPROVED

Ayes: 8 - Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 3 - Alioto-Pier, Avalos and Daly

File No. 091484

I hereby certify that the foregoing Motion was APPROVED on 1/5/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 091348 MOTION NO. M10-6

[Preparation of findings related to the Conditional Use Appeal for 1969 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2009.0639C on property located at 1969 California Street, for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2009.0639C, on property located at 1969 California Street, for action by the Board at its next meeting.

Clerk of the Board
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File Number: 091348 **Date Passed:** January 12, 2010

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2009.0639C on property located at 1969 California Street, for action by the Board at its next meeting.

December 08, 2009 Board of Supervisors - CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

January 05, 2010 Board of Supervisors - CONTINUED

Ayes: 8 - Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 3 - Alioto-Pier, Avalos and Daly

January 12, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 091348

I hereby certify that the foregoing Motion was APPROVED on 1/12/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 091389 MOTION NO. M10-7

[Approving decision of the Department of Public Works to revoke Encroachment Permit for 77 O'Farrell and 48 Stockton Streets.]

Motion approving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003, in connection with the Central Subway Project, and rejecting the appeal of Martin H. Orlick.

WHEREAS, On January 23, 2007, the Department of Public Works issued Minor Sidewalk Encroachment Permit No. 06MSE-0181 to allow occupancy of the public right-of-way for a subsidewalk basement at 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003; and,

WHEREAS, The Department of Public Works, in a letter dated November 16, 2009, revoked the Encroachment Permit in connection with the Central Subway project at the abovementioned address. Said letter is on file with the Clerk of the Board of Supervisors in File No. 091388 and is incorporated herein by reference; and,

WHEREAS, Martin H. Orlick filed a timely appeal of the decision of the Department of Public Works. Said appeal letter is on file with the Clerk of the Board of Supervisors in File No. 091388 and is incorporated herein by reference; and,

WHEREAS, The SFMTA Board of Directors adopted Resolution No. 08-150 on August 19, 2008, approving the Central Subway Project, the CEQA Findings and Statement of Overriding Considerations for the Central Subway Final Supplemental Environmental Impact Report (SEIS/SEIR) and the Mitigation Monitoring and Reporting program. The SEIS/SEIR, CEQA Findings, background reports, and other documents in the administrative record associated with the SEIS/SEIR collectively are on file with the Secretary of the Planning Commission, Secretary of the MTA Board of Directors, and the Clerk of the Board in File Nos.

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081137 and 081138. Said documents are incorporated herein by reference and form the basis for the decisions set forth herein; and,

WHEREAS, On January 12, 2010, this Board held a duly noticed public hearing to consider the appeal of the Department of Public Works' permit revocation filed by Appellant; and,

WHEREAS, This Board has reviewed and considered the permit revocation, the appeal letter, and the other written records before the Board of Supervisors and other City departments concerning the subsidewalk basement encroachment, and heard testimony and received public comment regarding the subject permit revocation; now, therefore, be it

MOVED, That the Board approves the decision of the Department of Public Works concerning revocation of the Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot 003, and rejects the appeal of Martin H. Orlick.

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File Number: 091389 **Date Passed:** January 12, 2010

Motion approving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003, in connection with the Central Subway Project, and rejecting the appeal of Martin H. Orlick.

January 12, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 091389

I hereby certify that the foregoing Motion was APPROVED on 1/12/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 091485 MOTION NO. M10-8

[Approving decision of the Department of Public Works to revoke Encroachment Permit for 77 O'Farrell and 48 Stockton Streets.]

Motion approving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003, in connection with the Central Subway Project, and rejecting the appeal of Marshall C. Wallace.

WHEREAS, On January 23, 2007, the Department of Public Works issued Minor Sidewalk Encroachment Permit No. 06MSE-0181 to allow occupancy of the public right-of-way for a subsidewalk basement at 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003; and,

WHEREAS, The Department of Public Works, in a letter dated November 16, 2009, revoked the Encroachment Permit in connection with the Central Subway project at the abovementioned address. Said letter is on file with the Clerk of the Board of Supervisors in File No. 091483 and is incorporated herein by reference; and,

WHEREAS, Marshall C. Wallace filed a timely appeal of the decision of the Department of Public Works. Said appeal letter is on file with the Clerk of the Board of Supervisors in File No. 091483 and is incorporated herein by reference; and,

WHEREAS, The SFMTA Board of Directors adopted Resolution No. 08-150 on August 19, 2008, approving the Central Subway Project, the CEQA Findings and Statement of Overriding Considerations for the Central Subway Final Supplemental Environmental Impact Report (SEIS/SEIR) and the Mitigation Monitoring and Reporting program. The SEIS/SEIR, CEQA Findings, background reports, and other documents in the administrative record associated with the SEIS/SEIR collectively are on file with the Secretary of the Planning Commission, Secretary of the MTA Board of Directors, and the Clerk of the Board in File Nos.

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081137 and 081138. Said documents are incorporated herein by reference and form the basis for the decisions set forth herein; and,

WHEREAS, On January 12, 2010, this Board held a duly noticed public hearing to consider the appeal of the Department of Public Works' permit revocation filed by Appellant; and,

WHEREAS, This Board has reviewed and considered the permit revocation, the appeal letter, and the other written records before the Board of Supervisors and other City departments concerning the subsidewalk basement encroachment, and heard testimony and received public comment regarding the subject permit revocation; now, therefore, be it

MOVED, That the Board approves the decision of the Department of Public Works concerning revocation of the Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot 003, and rejects the appeal of Marshall C. Wallace.

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File Number: 091485 **Date Passed:** January 12, 2010

Motion approving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003, in connection with the Central Subway Project, and rejecting the appeal of Marshall C. Wallace

January 12, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 091485

I hereby certify that the foregoing Motion was APPROVED on 1/12/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 091392 MOTION NO. M10-9

[Approving decision of the Department of Public Works to revoke Encroachment Permit for 24-34 Ellis Street.]

Motion approving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 24-34 Ellis Street, Assessor Block No. 327, Lot No. 008, in connection with the Central Subway Project, and rejecting the appeal of Harvey C. Hacker.

WHEREAS, On June 7, 2006, the Department of Public Works issued Minor Sidewalk Encroachment Permit No. 03MSE-157 to allow occupancy of the public right-of-way for a subsidewalk basement at 24-34 Ellis Street, Assessor Block No. 327, Lot No. 008; and,

WHEREAS, The Department of Public Works, in a letter dated November 16, 2009, revoked the Encroachment Permit in connection with the Central Subway project at the abovementioned address. Said letter is on file with the Clerk of the Board of Supervisors in File No. 091391 and is incorporated herein by reference; and,

WHEREAS, Harvey C. Hacker filed a timely appeal of the decision of the Department of Public Works. Said appeal letter is on file with the Clerk of the Board of Supervisors in File No. 091391 and is incorporated herein by reference; and,

WHEREAS, The SFMTA Board of Directors adopted Resolution No. 08-150 on August 19, 2008, approving the Central Subway Project, the CEQA Findings and Statement of Overriding Considerations for the Central Subway Final Supplemental Environmental Impact Report (SEIS/SEIR) and the Mitigation Monitoring and Reporting program. The SEIS/SEIR, CEQA Findings, background reports, and other documents in the administrative record associated with the SEIS/SEIR collectively are on file with the Secretary of the Planning Commission, Secretary of the MTA Board of Directors, and the Clerk of the Board in File Nos.

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081137 and 081138. Said documents are incorporated herein by reference and form the basis for the decisions set forth herein; and,

WHEREAS, On January 12, 2010, this Board held a duly noticed public hearing to consider the appeal of the Department of Public Works' permit revocation filed by Appellant; and,

WHEREAS, This Board has reviewed and considered the permit revocation, the appeal letter, and the other written records before the Board of Supervisors and other City departments concerning the subsidewalk basement encroachment, and heard testimony and received public comment regarding the subject permit revocation; now, therefore, be it

MOVED, That the Board approves the decision of the Department of Public Works concerning revocation of the Minor Sidewalk Encroachment Permit for 24-34 Ellis Street, Assessor Block No. 327, Lot 008, and rejects the appeal of Harvey C. Hacker.

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File Number: 091392 **Date Passed:** January 12, 2010

Motion approving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 24-34 Ellis Street, Assessor Block No. 327, Lot No. 008, in connection with the Central Subway Project, and rejecting the appeal of Harvey C. Hacker.

January 12, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 091392

I hereby certify that the foregoing Motion was APPROVED on 1/12/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100001 MOTION NO. M10-10

[Final Map 5705: 2540 – 2550 Hyde Street]

Motion approving Final Map 5705, a 6 Unit Residential Condominium Project, located at 2540 – 2550 Hyde Street being a subdivision of Lot 046 in Assessors Block No. 0045 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5705", comprising 3 sheets, approved December 15, 2009, by Department of Public Works Order No. 178, 459 is hereby approved and said map is adopted as an Official Final Map 5705; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated September 21, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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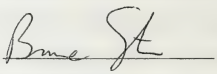
RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100001 **Date Passed:** January 12, 2010

Motion approving Final Map 5705, a 6 Unit Residential Condominium Project, located at 2540 - 2550 Hyde Street being a subdivision of Lot 046 in Assessors Block No. 0045 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

January 12, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100001

I hereby certify that the foregoing Motion was APPROVED on 1/12/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100002 MOTION NO. M10-11

[Final Map 5468 – 2395 Lombard Street]

Motion approving Final Map 5468, a 3 Unit Commercial and 12 Unit Residential Mixed-Use Condominium Project, located at 2395 Lombard Street being a subdivision of Lot 041 in Assessors Block No. 0512 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5468", comprising 2 sheets, approved December 18, 2009, by Department of Public Works Order No. 178, 466 is hereby approved and said map is adopted as an Official Final Map 5468; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated February 27, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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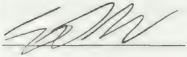
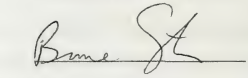
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100002 **Date Passed:** January 12, 2010

Motion approving Final Map 5468, a 3 Unit Commercial and 12 Unit Residential Mixed-Use Condominium Project, located at 2395 Lombard Street being a subdivision of Lot 041 in Assessors Block No. 0512 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

January 12, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100002

I hereby certify that the foregoing Motion was APPROVED on 1/12/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100003 MOTION NO. M10-12

[Final Map 5587 – 700 Valencia Street]

Motion approving Final Map 5587, a Nine Residential Unit and Three Commercial Unit Mixed-Use Condominium Project, located at 700 Valencia Street being a subdivision of Lot 001 in Assessors Block No. 3588 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5587", comprising 2 sheets, approved December 15, 2009, by Department of Public Works Order No. 178, 460 is hereby approved and said map is adopted as an Official Final Map 5587; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated May 27, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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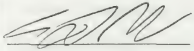
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100003 **Date Passed:** January 12, 2010

Motion approving Final Map 5587, a Nine Residential Unit and Three Commercial Unit Mixed-Use Condominium Project, located at 700 Valencia Street being a subdivision of Lot 001 in Assessors Block No. 3588 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

January 12, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100003

I hereby certify that the foregoing Motion was APPROVED on 1/12/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 091427 **MOTION NO.** M10-13

[Appointments – Workforce Investment Community Advisory Committee]

Motion appointing Tracy Brown and Jamie Brewster, terms to be determined, to the Workforce Investment Community Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Workforce Investment Community Advisory Committee, pursuant to the provisions of Ordinance No. 270-07, for the terms specified:

Tracy Brown, seat 3, new appointment, must be staff and/or Board member of 501(c)3 organizations. Preferably Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for a two-year term ending date to be determined.

Jamie Brewster, seat 4, new appointment, must be staff and/or Board member of 501(c)3 organizations. Preferably Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for a two-year term ending date to be determined.

Rules Committee

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Motion: M10-13

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 091427 **Date Passed:** January 26, 2010

Motion appointing Tracy Brown and Jamie Brewster, terms to be determined, to the Workforce Investment Community Advisory Committee.

January 26, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 091427

I hereby certify that the foregoing Motion was APPROVED on 1/26/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 091481 MOTION NO. M10-14

[Appointment – Veterans Affairs Commission]

Motion appointing James Gugliemoni, term ending January 31, 2014, to the Veterans Affairs Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as member of the Veterans Affairs Commission, pursuant to the provisions of the San Francisco Administrative Code, Section 5.102, for the term specified:

James Gugliemoni, succeeding himself, term expiring on January 31, 2010, seat 10, must be an at-large appointment, for a four-year term ending January 31, 2014.

Rules Committee

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Motion: M10-14

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 091481 **Date Passed:** January 26, 2010

Motion appointing James Gugliemoni, term ending January 31, 2014, to the Veterans Affairs Commission.

January 26, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 091481

I hereby certify that the foregoing Motion was APPROVED on 1/26/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 091459 MOTION NO. M10-15

[Appointment – Urban Counties Caucus]

Motion appointing Supervisor Michela Alioto-Pier, term ending December 31, 2010, to the Urban Counties Caucus.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the following designated person to serve as a member of the Urban Counties Caucus, pursuant to the provisions of the Urban Counties Caucus Bylaws for the term specified:

Supervisor Michela Alioto-Pier, succeeding Supervisor Carmen Chu, seat 1, must be an elected representative from each County Board of Supervisors maintaining the membership of its supervisors in the Caucus. Each representative shall be selected at the beginning of the calendar year by the Board of Supervisors to serve a term of not less than two years to coincide with the sessions of the California Legislature, for the unexpired portion of a two-year term ending December 31, 2010.

Rules Committee

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File Number: 091459 **Date Passed:** January 26, 2010

Motion appointing Supervisor Michela Alioto-Pier, term ending December 31, 2010, to the Urban Counties Caucus.

January 26, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 091459

I hereby certify that the foregoing Motion was APPROVED on 1/26/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100035 MOTION NO. M10-16

[Committee of the Whole – Beilenson Hearing – January 26, 2010, at 3:00 p.m.]

Motion scheduling the Board to sit as a Committee of the Whole to consider health services reductions (Beilenson Hearing), to be held on January 26, 2010, at 3:00 p.m.

MOVED, That the Board of Supervisors convene as a Committee of the Whole to consider health services reductions on January 26, 2010, at 3:00 p.m.

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File Number: 100035 **Date Passed:** January 26, 2010

Motion scheduling the Board to sit as a Committee of the Whole to consider health services reductions (Beilenson Hearing), to be held on January 26, 2010, at 3:00 p.m.

January 26, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100035

I hereby certify that the foregoing Motion was APPROVED on 1/26/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100070 MOTION NO. M10-17

[Final Map 5582: 1489 – 1495 Valencia Street]

Motion approving Final Map 5582, a 2 Airspace Subdivision: Parcel "A" being a Mixed Use Condominium Project (6 Residential Units and 1 Commercial Unit) and Parcel "B" being a One Lot Airspace Project, located at 1489 – 1495 Valencia Street being a subdivision of Lot 028 in Assessors Block No. 6530 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5582", comprising 4 sheets, approved December 30, 2009, by Department of Public Works Order No. 178, 479 is hereby approved and said map is adopted as an Official Final Map 5582; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated May 14, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

GOVERNMENT
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RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100070 **Date Passed:** January 26, 2010

Motion approving Final Map 5582, a 2 Airspace Subdivision: Parcel "A" being a Mixed Use Condominium Project (6 Residential Units and 1 Commercial Unit) and Parcel "B" being a One Lot Airspace Project, located at 1489 - 1495 Valencia Street being a subdivision of Lot No. 028 in Assessors Block No. 6530 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

January 26, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100070

I hereby certify that the foregoing Motion was APPROVED on 1/26/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100071 MOTION NO. M10-18

[Final Map 4305: 3431 – 3435 Mission Street]

Motion approving Final Map 4305, a Four Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 3431 – 3435 Mission Street being a subdivision of Lot 037 in Assessors Block No. 5673 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4305", comprising 3 sheets, approved December 30, 2009, by Department of Public Works Order No. 178, 480 is hereby approved and said map is adopted as an Official Final Map 4305; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated October 5, 2006, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100071 **Date Passed:** January 26, 2010

Motion approving Final Map 4305, a Four Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 3431 - 3435 Mission Street being a subdivision of Lot No. 037 in Assessors Block No. 5673 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

January 26, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100071

I hereby certify that the foregoing Motion was APPROVED on 1/26/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100072 MOTION NO. M10-19

[Final Map 4789 – 235 Waller Street]

Motion approving Final Map 4789, a Six Unit Residential Condominium Project, located at 235 Waller Street being a subdivision of Lot 035 in Assessors Block No. 0869 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4789", comprising 3 sheets, approved January 5, 2010, by Department of Public Works Order No. 178, 489 is hereby approved and said map is adopted as an Official Final Map 4789; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated March 12, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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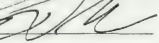
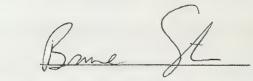


Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100072 **Date Passed:** January 26, 2010

Motion approving Final Map 4789, a Six Unit Residential Condominium Project, located at 235 Waller Street being a subdivision of Lot No. 035 in Assessors Block No. 0869 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

January 26, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100072

I hereby certify that the foregoing Motion was APPROVED on 1/26/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100073 MOTION NO. M10-20

[Final Map 4955: 1250 – 1260 Missouri Street]

Motion approving Final Map 4955, a 36 Unit Commercial Condominium Project, located at 1250 – 1260 Missouri Street being a merger and resubdivision of Lots 014, 015, 016 in Assessors Block No. 4287 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4955", comprising 3 sheets, approved January 6, 2010, by Department of Public Works Order No. 178, 491 is hereby approved and said map is adopted as an Official Final Map 4955; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated January 15, 2008, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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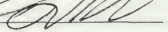
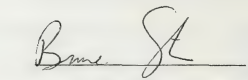


Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100073 **Date Passed:** January 26, 2010

Motion approving Final Map 4955, a 36 Unit Commercial Condominium Project, located at 1250 - 1260 Missouri Street being a merger and resubdivision of Lot Nos. 014, 015, 016 in Assessors Block No 4287 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

January 26, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100073

I hereby certify that the foregoing Motion was APPROVED on 1/26/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole
in Board
1/26/10

FILE NO. 100084 MOTION NO. M10-21

[Proclamation of Local Emergency - January 19, 2010]

Motion concurring in the Mayor's January 19, 2010, Proclamation of Local Emergency, effective through February 2, 2010, and in the actions taken to meet the emergency.

WHEREAS, On January 19, 2010, Mayor Newsom proclaimed a local emergency to exist in connection with severe erosion along the Great Highway and a series of severe wind and rain storms, a copy of of which proclamation is on file with the Clerk of the Board of Supervisors in File No. 100084 and incorporated herein by reference; and

WHEREAS, California Government Code Sections 8550 *et seq.* and Charter Section 3.100 require the concurrence of the Board of Supervisors in a proclamation of local emergency and in the actions taken by the Mayor and the City to meet the emergency; now, therefore, be it

MOVED, That the Board of Supervisors concurs in the Mayor's January 19, 2010, proclamation of a local emergency, effective through February 2, 2010, and in the actions taken by the Mayor and the City to meet the emergency.

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Supervisor Elsbernd, Mayor Newsom
BOARD OF SUPERVISORS

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City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100084 **Date Passed:** January 26, 2010

Motion concurring in the Mayor's January 19, 2010, Proclamation of Local Emergency, effective through February 2, 2010, and in the actions taken to meet the emergency.

January 26, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Daly
Excused: 1 - Alioto-Pier

January 26, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Daly
Excused: 1 - Alioto-Pier

File No. 100084

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 1/26/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100087 | Amendment of the Whole in Board 1/26/10 | MOTION NO. M10-22

[Proclamation of Local Emergency – January 22, 2010]

Motion concurring in the Mayor's January 22, 2010, Proclamation of Local Emergency, effective through February 2, 2010, and in the actions taken to meet the emergency.

WHEREAS, On January 22, 2010, Mayor Newsom proclaimed a local emergency to exist in the City and County in connection with severe wind and rain storms, a copy of which proclamation is on file with the Clerk of the Board of Supervisors in File No. 100087 and incorporated herein by reference; and

WHEREAS, California Government Code Sections 8550 *et seq.* and Charter Section 3.100 require the concurrence of the Board of Supervisors in a proclamation of local emergency and in the actions taken by the Mayor and the City to meet the emergency; now, therefore, be it

MOVED, That the Board of Supervisors concurs in the Mayor's January 22, 2010 proclamation of a local emergency, effective through February 2, 2010, and in the actions taken by the Mayor and the City to meet the emergency.

GOVERNMENT
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Mayor Newsom, Supervisor Elsbernd
BOARD OF SUPERVISORS

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City and County of San Francisco
Tails
Motion: M10-22

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100087 **Date Passed:** January 26, 2010

Motion concurring in the Mayor's January 22, 2010, Proclamation of Local Emergency, effective through February 2, 2010, and in the actions taken to meet the emergency.

January 26, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Daly
Excused: 1 - Alioto-Pier

January 26, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Daly
Excused: 1 - Alioto-Pier

File No. 100087

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 1/26/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100037 MOTION NO. M10-23

[Appointment, Small Business Commission]

Motion appointing Kathleen Dooley, term ending January 6, 2014, to the Small Business Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the following designated person to serve as a member of the Small Business Commission, pursuant to the provisions of Charter Section 4.134.

Kathleen Dooley, succeeding herself, seat 2, term expired, must be an owner, operator, or officer of a San Francisco small business, for the unexpired portion of a four-year term ending January 6, 2014.

GOVERNMENT
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San Francisco, CA 94102-4689

File Number: 100037 **Date Passed:** February 02, 2010

Motion appointing Kathleen Dooley, term ending January 6, 2014, to the Small Business Commission.

February 02, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100037

I hereby certify that the foregoing Motion was APPROVED on 2/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100038 MOTION NO. M10-24

[Appointments, San Francisco Health Authority]

Motion appointing John Gressman, Tracey Faulkner and Steve Fields, terms ending January 15, 2012 to the San Francisco Health Authority, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the San Francisco Health Authority, pursuant to the provisions in the Welfare and Institutions Code Section 14087.36 and the San Francisco Administrative Code Sections 69.1 et seq., for the terms specified:

John Gressman, succeeding himself (residency requirement waived), seat 5, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2012.

Tracey Faulkner, succeeding herself, seat 11, must be a nominee of the Health Authority Beneficiary Advisory Committee, at least one of whom shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three-year term ending January 15, 2012.

Steve Fields, succeeding himself (residency requirement waived), seat 12, must be a person knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the health authority, nominated by the program committee of the health committee, for the unexpired portion of a three-year term ending January 5, 2012.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

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1. The membership of the San Francisco Health Authority has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicants John Gressman and Steve Fields, appointees, who are not residents of San Francisco, are persons with experience that uniquely qualify them on the San Francisco Health Authority.
3. The San Francisco Health Authority has attempted to fill the positions, for which John Gressman and Steve Fields were nominated, with individuals who are City residents and who have the specific experience, skills, and qualifications, but have been unable to do so at this time. The Rules Committee has certified that John Gressman and Steve Fields are qualified to serve on the San Francisco Health Authority.
4. After exercising due diligence, the Board of Supervisors concludes that there are no other possible representatives, who are residents of San Francisco and who have the specific experience, skills, or qualifications possessed by these applicants, and who are willing to serve on the San Francisco Health Authority at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for John Gressman and Steve Fields, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

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File Number: 100038 **Date Passed:** February 02, 2010

Motion appointing John Gressman, Tracey Faulkner and Steve Fields terms ending January 15, 2012. to the San Francisco Health Authority.

February 02, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100038

I hereby certify that the foregoing Motion was APPROVED on 2/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100122 MOTION NO. M10-25

[Concurring in January 19, 2010, Proclamation of Local Emergency.]

Motion concurring in the Mayor's January 19, 2010, Proclamation of Local Emergency, and in the actions taken to meet the emergency.

WHEREAS, On January 19, 2010, Mayor Newsom proclaimed a local emergency to exist in connection with severe erosion along the Great Highway and an incoming series of severe wind and rain storms, a copy of which proclamation is on file with the Clerk of the Board of Supervisors in File No. 100084 and incorporated herein by reference; and,

WHEREAS, California Government Code Sections 8550 *et seq.* and Charter Section 3.100 require the concurrence of the Board of Supervisors in a proclamation of local emergency and in the actions taken by the Mayor and the City to meet the emergency; and,

WHEREAS, On January 26, 2010, the Board of Supervisors concurred in the Mayor's January 19, 2010, proclamation of a local emergency for a period of one week; now, therefore, be it

MOVED, That the Board of Supervisors concurs in the Mayor's January 19, 2010, proclamation of a local emergency and in the actions taken by the Mayor and the City to meet the emergency.

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File Number: 100122 **Date Passed:** February 02, 2010

Motion concurring in the Mayor's January 19, 2010, Proclamation of Local Emergency, and in the actions taken to meet the emergency.

February 02, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100122

I hereby certify that the foregoing Motion was APPROVED on 2/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100123 MOTION NO. M10-26

[Concurring in January 22, 2010, Proclamation of Local Emergency.]

Motion concurring in the Mayor's January 22, 2010, Proclamation of Local Emergency, and in the actions taken to meet the emergency.

WHEREAS, On January 22, 2010, Mayor Newsom proclaimed a local emergency to exist in the City and County in connection with severe wind and rain storms, a copy of which proclamation is on file with the Clerk of the Board of Supervisors in File No. 100087 and incorporated herein by reference; and

WHEREAS, California Government Code Sections 8550 *et seq.* and Charter Section 3.100 require the concurrence of the Board of Supervisors in a proclamation of local emergency and in the actions taken by the Mayor and the City to meet the emergency;

WHEREAS, On January 26, 2010, the Board of Supervisors concurred in the Mayor's January 22, 2010, proclamation of a local emergency for a period of one week; now, therefore, be it

MOVED, That the Board of Supervisors concurs in the Mayor's January 22, 2010, proclamation of a local emergency and in the actions taken by the Mayor and the City to meet the emergency.

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City and County of San Francisco
Tails
Motion: M10-26

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File Number: 100123 **Date Passed:** February 02, 2010

Motion concurring in the Mayor's January 22, 2010, Proclamation of Local Emergency, and in the actions taken to meet the emergency.

February 02, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100123

I hereby certify that the foregoing Motion was APPROVED on 2/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole
in Board
2/9/10

FILE NO. 100145

MOTION NO. M10-27

[Findings – 1969 California Street]

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street.

WHEREAS, the Planning Commission issued a decision by Motion No. 17959 dated October 8, 2009, approving Conditional Use Application No. 2009.0639C subject to certain conditions, to allow the establishment of an art gallery and associated offices (d.b.a. Anthony Meier Fine Art Gallery) within a designated City Landmark, Landmark #260, the Tobin House, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District, on property located at 1969 California Street, Lot No. 016 in Assessor's Block 0649; and

WHEREAS, said determination was timely appealed to the Board of Supervisors on November , 2009, by Greg Scott on behalf of Pacific Heights Residents Association;

WHEREAS, on January 12, 2010, the Board conducted a duly noticed public hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on January 12, the Board disapproved the decision of the Planning Commission (Planning Commission Motion No. 17959 dated October 8, 2009) and approved the issuance of requested Conditional Use Application No. 2009.0639C, subject to the conditions imposed by the Planning Commission in its Motion No. 17959, and further subject to the following additional conditions imposed by the Board of Supervisors:

1. Added to Condition #11: Deliveries related to the art gallery shall occur only on street cleaning days;

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2. Added to Condition #14: Valet Parking for events must have off-street parking for all vehicles and in no instance shall street parking spaces be used. Valet parking operations must not unreasonably obstruct driveways at any time; and

3. New Condition #17: No residential parking permits shall be used by gallery employees. Alternatively, the gallery must provide employees with off-street parking; and

WHEREAS, in reviewing the appeal of the approval of the requested conditional use authorization, the Board of Supervisors reviewed and considered the written record before the Board and all of the public comments made in support of and in opposition to the appeal;

NOW, THEREFORE, BE IT MOVED, that the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 17959 dated October 8, 2009, approving Conditional Use Application No. 2009.0639C;

FURTHER MOVED, That the Board of Supervisors took notice that Planning found the Project categorically exempt from environmental review under the California Environmental Quality Act (CEQA) on September 18, 2009. Specifically, the Planning Department found the project exempt pursuant to section 15301(a) of the CEQA Guidelines. The Board finds that there have been no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the determination that the Project is categorically exempt from environmental review under CEQA.

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File Number: 100145 **Date Passed:** February 09, 2010

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street

February 02, 2010 Board of Supervisors - REFERRED

February 09, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 9 - Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 2 - Alioto-Pier and Avalos

February 09, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 9 - Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 2 - Alioto-Pier and Avalos

File No. 100145

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 2/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100131 MOTION NO. M10-28

[Update on labor negotiations concerning City workers from the Mayor's Office and the Department of Human Resources.]

Motion that the Board of Supervisors convene in closed session on February 9, 2010 with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

WHEREAS, This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code 67.10(e); now, therefore, be it

MOVED, That the Board of Supervisors convene in closed session on February 9, 2010 with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers

Supervisor Chiu
BOARD OF SUPERVISORS

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File Number: 100131 **Date Passed:** February 09, 2010

Motion that the Board of Supervisors convene in closed session on February 9, 2010, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers

February 09, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 2 - Alioto-Pier and Avalos

File No. 100131

I hereby certify that the foregoing Motion was APPROVED on 2/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100119 MOTION NO. M10-29

[Committee of the Whole - Redevelopment Agency Disposition and Development Agreement]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on February 23, 2010, for the purpose of considering a resolution approving a disposition and development agreement for a vacant parcel at 1345 Turk Street.

MOVED, That the Board of Supervisors of the City and County of San Francisco shall sit as a Committee of the Whole on February 23, 2010, at 3:00 p.m. for the purpose of considering a resolution approving the Redevelopment Agency's disposition of the vacant parcel at 1345 Turk Street to MSPDI Turk, LLC, a wholly-owned subsidiary of Michael Simmons Property Development, Inc., a California Corporation, for $648,000 in the form of a disposition and development agreement for the development of 32 condominium units for low- and moderate-income, first-time homebuyers; Citywide Tax Increment Housing Program pursuant to Health and Safety Section 33433.

Supervisor Mirkarimi
BOARD OF SUPERVISORS

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File Number: 100119 **Date Passed:** February 09, 2010

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on February 23, 2010, for the purpose of considering a resolution approving a disposition and development agreement for a vacant parcel at 1345 Turk Street

February 09, 2010 Board of Supervisors - APPROVED

Ayes: 8 - Campos, Chiu, Chu, Daly, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 2 - Alioto-Pier and Avalos
Absent: 1 - Dufty

File No. 100119

I hereby certify that the foregoing Motion was APPROVED on 2/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100115 MOTION NO. M10-30

[Appointments, Citizen's Committee on Community Development]

Motion appointing Charlie Sciammas, Rene Cazenave, Joshua Arce and Gaylen Mohre, terms to be determined, to the Citizen's Committee on Community Development.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the following designated persons to serve as members of the Citizen's Committee on Community Development, pursuant to the provisions of Ordinance No. 212-09 for the terms specified:

Charlie Sciammas, seat 1, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City. No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a one-year term to be determined.

Rene Cazenave, seat 2, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City. No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a one-year term to be determined.

Joshua Arce, seat 3, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City. No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a two-year term to be determined.

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Gaylen Mohre, seat 4, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City. No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a two-year term to be determined.

City and County of San Francisco
Tails
Motion: M10-30

File Number: 100115 **Date Passed:** February 23, 2010

Motion appointing Charlie Sciammas, Rene Cazenave, Joshua Arce and Gaylen Mohre, terms to be determined, to the Citizen's Committee on Community Development.

February 23, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100115

I hereby certify that the foregoing Motion was APPROVED on 2/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100148 MOTION NO. M10-31

[Setting the 2010 Budget and Legislative Analyst Services Work Plan]

Motion approving the Budget and Legislative Analyst Services work plan for 2010, which (a) allocates hours for calendar year 2010, (b) authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of the hours based on Board of Supervisors service needs, and (c) requires Board of Supervisors approval of hours re-allocation greater than 10 percent; and establishes performance goals and sets a date for the 2010 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

WHEREAS, the Board of Supervisors approved the contract for Budget and Legislative Analyst services on December 8, 2009, which became effective on January 1, 2010; and

WHEREAS, the contract for Budget and Legislative Analyst services defines the scope of services to include: (1) detailed review of the Annual Appropriation Ordinance and Annual Salary Ordinance from a financial and policy perspective, or Budget Analysis; (2) evaluation of legislation pending before the Board and its committees, or Legislative Analysis; (3) policy analysis and recommendations on legislative initiatives, or Policy Analysis; and (4) performance and management audits of City and County departments and programs; and

WHEREAS, the contract for Budget and Legislative Analyst services requires (1) the Budget and Legislative Analyst to submit an annual work plan for input, review and approval by the Board of Supervisors, estimating the allocation of staff hours for each service category and major project; and (2) the Board of Supervisors to conduct a formal annual performance

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evaluation of Budget and Legislative Analyst services with pre-established goals and evaluation criteria so that Board members, or a designated committee, can provide structured feedback and suggest changes in Budget and Legislative Analyst services to respond to the Board's changing analytical needs; now, therefore, be it

MOVED, That the Board of Supervisors approves the proposed Budget and Legislative Analyst work plan for calendar year 2010, which (a) allocates hours for Budget Analysis, Legislative Analysis, Policy Analysis and Audits and Special Projects, (b) authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of these hours based on Board of Supervisors service needs, and (c) requires the Board of Supervisors approval to reallocate greater than 10 percent of these hours; and, be it

FURTHER MOVED, That the Board of Supervisors establishes performance goals for Budget and Legislative Analyst services and sets a date of no later than December 15, 2010 for the Board of Supervisors to complete the 2010 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

City Hall

File Number: 100148 **Date Passed:** February 23, 2010

Motion approving the Budget and Legislative Analyst Services work plan for 2010, which: (a) allocates hours for calendar year 2010, (b) authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of the hours based on Board of Supervisors service needs, and (c) requires Board of Supervisors approval of hours re-allocation greater than 10 percent, and establishes performance goals and sets a date for the 2010 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

February 23, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100148

I hereby certify that the foregoing Motion was APPROVED on 2/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100057 MOTION NO. M10-32

[Budget and Legislative Analyst Audit of the City's General Fund Revenues]

Motion requesting the Budget and Legislative Analyst to (a) conduct an audit of the City and County of San Francisco's existing lease, fee, and other General Fund revenues generated by City department activities and of the City's collection of General Fund revenues; and (b) identify new General Fund revenues, enhancement of existing General Fund revenues, and improved collection of General Fund revenues.

WHEREAS, It is the policy of the Board of Supervisors that each program of the City and County of San Francisco be the subject of a performance or management audit at least once every eight years; and

WHEREAS, The function of regular audits is to ensure that City departments and agencies make prudent and efficient use of city resources and also effectively perform the functions assigned to them by the charter and applicable laws; now, therefore, be it

MOVED, That the Budget and Legislative Analyst is hereby requested to (a) survey the City's existing General Fund fees, leases, licenses, permits, rates, and other General revenues generated by City department activities; (b) evaluate sufficiency of existing City department revenue sources for covering the costs of City department services; (c) evaluate the City's revenue collection efforts; and (d) identify opportunities for increased revenues from leases and rents, charges for City services, grants, and other General Fund revenue sources and from improved collection.

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File Number: 100057 Date Passed: February 23, 2010

Motion requesting the Budget and Legislative Analyst to: (1) conduct an audit of the City and County of San Francisco's existing lease, fee, and other General Fund revenues generated by City department activities and of the City's collection of General Fund revenues; and (2) identify new General Fund revenues, enhancement of existing General Fund revenues, and improved collection of General Fund revenues.

February 23, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell and Mirkarimi
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

File No. 100057

I hereby certify that the foregoing Motion was APPROVED on 2/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100094 MOTION NO. M10-33

[Budget and Legislative Analyst Limited Scope Performance Audit of the San Francisco Municipal Transportation Agency to Determine its Effectiveness]

Motion directing the Budget and Legislative Analyst to conduct a limited scope performance audit of the San Francisco Municipal Transportation Agency (SFMTA) to determine if the SFMTA is operating in the most efficient, effective, and economical manner in establishing and collecting revenues and in managing expenditures.

WHEREAS, It is the policy of the Board of Supervisors that each program of the City and County of San Francisco be the subject of a performance or management audit at least once every eight years; and

WHEREAS, The last management audit conducted by the Budget Analyst of the Municipal Railway was completed in July 1996; and

WHEREAS, The function of regular audits is to ensure that city departments and agencies make prudent and efficient use of city resources and also effectively perform the functions assigned to them by the charter and applicable laws; and

WHEREAS, Rule 6.18 of the Rules of Order outlines the criteria to be used in developing the proposed audit schedule, and those priorities include programs that have never undergone a management audit as well as programs that have gone the longest period of time since their last management audit; and

WHEREAS, The SFMTA faces increases in fares and reductions in service for the next fiscal year and the Board of Supervisors now directs the Budget and Legislative Analyst to evaluate the effectiveness of the SFMTA in managing revenues and expenditures; now, therefore, be it

MOVED, That the Budget and Legislative Analyst is hereby directed to conduct a limited scope performance audit, in order to determine if the SFMTA's management of its

Supervisor Campos, Mirkarimi, Chiu
BOARD OF SUPERVISORS

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revenues and expenditures are being accomplished in the most efficient, effective, and economical manner; and, be it

FURTHER MOVED, That the Budget and Legislative Analyst will submit a performance audit report to the Board of Supervisors by no later than May 1, 2010, identifying the findings and the related recommendations for purposes of improving the efficiency, effectiveness, and economy of the SFMTA.

City and County of San Francisco
Tails
Motion: M10-33

File Number: 100094 **Date Passed:** February 23, 2010

Motion directing the Budget and Legislative Analyst to conduct a limited scope performance audit of the San Francisco Municipal Transportation Agency (SFMTA) to determine if the SFMTA is operating in the most efficient, effective, and economical manner in establishing and collecting revenues and in managing expenditures.

February 23, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100094

I hereby certify that the foregoing Motion was APPROVED on 2/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100116 MOTION NO. M10-34

[Appointment, Association of Bay Area Governments Executive Board]

Motion appointing Supervisor Chris Daly, as an alternate member, term ending June 30, 2011, to the Association of Bay Area Governments Executive Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Executive Board, Association of Bay Area Governments, for the term specified:

Supervisor Chris Daly, succeeding himself, seat 3 (ALTERNATE), must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2011.

Rules Committee

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File Number: 100116 Date Passed: February 23, 2010

Motion appointing Supervisor Chris Daly, as an alternate member, term ending June 30, 2011, to the Association of Bay Area Governments Executive Board.

February 23, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 2 - Alioto-Pier and Daly

File No. 100116

I hereby certify that the foregoing Motion was APPROVED on 2/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100164 MOTION NO. M10-35

[Extending the Joint City and School District Committee for One Year]

Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year.

BE IT MOVED, That the Board of Supervisors hereby amends Rule 5.7 to the Board of Supervisors' Rules of Order, to read as follows:

5.7 Joint City and School District Select Committee. The Joint City and School District Select Committee shall be referred measures concerning issues of mutual interest that affect the City and the School District, its employees, its students, and the families of its students, including the issue of the public use of School District facilities, and shall terminate on or before, March 1, 2011.

Supervisor Dufty , Campos
BOARD OF SUPERVISORS

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File Number: 100164 **Date Passed:** February 23, 2010

Motion amending the Board of Supervisors' Rules of Order No. 5.7 to extend the term of the Joint City and School District Select Committee through March 1, 2011.

February 23, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100164

I hereby certify that the foregoing Motion was APPROVED on 2/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100055 MOTION NO. M10-36

[Budget line item for Police Department dignitary security.]

Motion ordering submitted to the voters an ordinance requiring the City's annual budget to include an appropriation for the Police Department's expenditures on security for City officials and dignitaries at an election to be held on June 8, 2010.

MOVED, That the Board of Supervisors hereby submits the following ordinance to the voters of the City and County of San Francisco, at an election to be held on June 8, 2010.

Ordinance amending the San Francisco Administrative Code by adding Section 3.22, to require the City's annual budget to include an appropriation for the Police Department's expenditures on security for City officials and dignitaries.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 3.22, to read as follows:

SEC. 3.22. POLICE DEPARTMENT DIGNITARY SECURITY BUDGET.

The annual proposed budget for the Police Department prepared and submitted under Charter Section 4.102, and the annual budget for the City proposed and approved under Article IX of the Charter shall include a line-item appropriation for the Police Department's expenditure of funds to provide security services to City officials and visiting dignitaries.

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Supervisor Mirkarimi, Campos
BOARD OF SUPERVISORS

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APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
JON GIVNER
Deputy City Attorney

San Francisco, CA 94102-4689

File Number: 100055 **Date Passed:** March 02, 2010

Motion ordering submitted to the voters an ordinance requiring the City's annual budget to include an appropriation for the Police Department's expenditures on security for City officials and dignitaries at an election to be held on June 8, 2010.

March 02, 2010 Board of Supervisors - APPROVED

Ayes: 7 - Avalos, Campos, Chiu, Daly, Mar, Maxwell and Mirkarimi
Noes: 3 - Chu, Dufty and Elsbernd
Excused: 1 - Alioto-Pier

File No. 100055

I hereby certify that the foregoing Motion was APPROVED on 3/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100186 MOTION NO. M10-37

[Appointment to San Francisco LAFCO]

Motion appointing Supervisor Ross Mirkarimi, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission.

Government Code Section 56325 provides that the Local Agency Formation Commission shall consist of either four members of the Board of Supervisors, or three members of the Board of Supervisors and the Mayor. All four members are appointed by the Board of Supervisors. These four members shall select a public member to serve as the fifth member. The Board must also select two alternate commissioners.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Local Agency Formation Commission, pursuant to the provisions of Government Code Section 56325, for the term specified:

Supervisor Ross Mirkarimi, succeeding himself, seat 4, must be a member of the San Francisco Board of Supervisors, for the unexpired portion of a four-year term ending February 4, 2014.

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File Number: 100186 **Date Passed:** March 02, 2010

Motion appointing Supervisor Ross Mirkarimi, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission.

March 02, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 2 - Alioto-Pier and Mirkarimi

File No. 100186

I hereby certify that the foregoing Motion was APPROVED on 3/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100187 MOTION NO. M10-38

[Appointment - Peninsula Corridor Joint Powers Board]

Motion appointing Supervisor Sean Elsbernd, term ending June 30, 2012, to the Peninsula Corridor Joint Powers Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Peninsula Corridor Joint Powers Board for the term specified:

Supervisor Sean Elsbernd, succeeding himself, seat 1, must be appointed by the Board of Supervisors, for a two-year term ending June 30, 2012.

Rules Committee

BOARD OF SUPERVISORS

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File Number: 100187 Date Passed: March 02, 2010

Motion appointing Supervisor Sean Elsbernd, term ending June 30, 2012, to the Peninsula Corridor Joint Powers Board

March 02, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell and Mirkarimi
Excused: 2 - Alioto-Pier and Elsbernd

File No. 100187

I hereby certify that the foregoing Motion was APPROVED on 3/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100216 | Amendment of the Whole in Board 3/2/10 | MOTION NO. M10-39

[Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 8, 2010, Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 8, 2010, Election.

WHEREAS, The Board of Supervisors wishes to authorize the Board Member sponsors of the following ballot measures to prepare and submit a written proponent ballot argument and proponent rebuttal argument for submittal to the Director of Elections:

- Charter Amendment to amend by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, City and County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System (SFERS) set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010, who become members of the California Public Employees' Retirement System

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(CalPERS), (5) require all contracts with CalPERS for persons hired on and after July 1, 2010, to include a two-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010, for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010, that modifies the average final compensation calculation from a one-year formula to a two-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a two-year formula. (Supervisors Mar, Campos, Elsbernd)

- Charter Amendment to amend by adding Section 5.107 to establish a Film Commission, establish its membership and qualifications, establish duties, and provide for the issuance of film permits. (Supervisor Alioto-Pier)

- Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 8, 2010, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $412,300,000 to finance the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco

Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code, incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code. (Supervisor Chiu)

- Motion ordering submitted to the voters an ordinance requiring the City's annual budget to include an appropriation for the Police Department's expenditures on security for

City officials and dignitaries at an election to be held on June 8, 2010. (Supervisor Mirkarimi)

- Declaration of Policy to be submitted by four or more Supervisors to the voters at the June 8, 2010, election entitled "Declaration of Policy concerning the Transbay Transit Center – Under Construction at First and Mission to be the Northern Terminus for California High Speed Rail." (Supervisor Daly)

- Ordinance to be submitted by four or more Supervisors to the voters at the June 8, 2010, election entitled "Ordinance amending Chapter 37 of the San Francisco Administrative Code – the Residential Rent Stabilization and Arbitration Ordinance relating to Tenant Financial Hardship Applications." (Supervisor Daly)

WHEREAS, The Board of Supervisors wishes to authorize the Board Member(s) opposed to the following ballot measures to prepare and submit a written opponent ballot argument and rebuttal ballot argument for submittal to the Director of Elections:

- Charter Amendment to amend by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, City and County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System (SFERS) set by the Retirement Board each year and the employer

normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010, who become members of the California Public Employees' Retirement System (CalPERS); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010, to include a two-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010, for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1 2010, that modifies the average final compensation calculation from a one-year formula to a two-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a two-year formula. (Supervisor Daly)

- Charter Amendment to amend by adding Section 5.107 to establish a Film Commission, establish its membership and qualifications, establish duties, and provide for the issuance of film permits.

- Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 8, 2010, for the purpose of submitting to San

Francisco voters a proposition to incur the following bonded debt of the City and County: $412,300,000 to finance the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code;

incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code. (Supervisor Daly)

- Motion ordering submitted to the voters an ordinance requiring the City's annual budget to include an appropriation for the Police Department's expenditures on security for City officials and dignitaries at an election to be held on June 8, 2010. (Supervisor Elsbernd)

- Declaration of Policy to be submitted by four or more Supervisors to the voters at the June 8, 2010, election entitled "Declaration of Policy concerning the Transbay Transit Center – Under Construction at First and Mission to be the Northern Terminus for California High Speed Rail."

- Ordinance to be submitted by four or more Supervisors to the voters at the June 8, 2010, election entitled "Ordinance amending Chapter 37 of the San Francisco Administrative Code – the Residential Rent Stabilization and Arbitration Ordinance relating to Tenant Financial Hardship Applications." (Supervisor Elsbernd)

WHEREAS, The Board Member(s) authorized to submit the proponent and opponent ballot arguments, will submit the argument to the Director of Elections no later than the deadline of noon, March 18, 2010, and the respective rebuttal ballot argument no later than noon, March 22, 2010; now, therefore, be it

MOVED, That the Board of Supervisors hereby authorizes the sponsors and designated opponents of each measure, as listed above, under the provisions of the San

Francisco Elections Code Sections 530 and 550, to prepare and submit a written proponent and opponent ballot argument and respective rebuttal ballot arguments on their measures; and, be it

FURTHER MOVED, That the sponsors and opponents of measures submitted to the voters for the June 8, 2010, Election, who are authorized by this motion to prepare and submit arguments, may authorize or assign to any other person(s) under the provisions of the San Francisco Elections Code Sections 530 and 550 (c) and (d) the right to prepare and submit the proponent or opponent's ballot arguments and/or respective rebuttal arguments.

City and County of San Francisco
Tails
Motion: M10-39

File Number: 100216 **Date Passed:** March 02, 2010

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 8, 2010, Election.

March 02, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

Excused: 1 - Alioto-Pier

March 02, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

Excused: 1 - Alioto-Pier

File No. 100216

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 3/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100139 MOTION NO. M10-40

[Budget and Legislative Analyst Audit of the Alemany Farmers' Market]

Motion directing the Budget and Legislative Analyst to conduct an audit of the Alemany Farmers' Market and the Real Estate Department in its capacity as operator of the market.

WHEREAS, The Famers' Market was first established in San Francisco in 1943 and is the oldest organized market of its type in California; and,

WHEREAS, The market continues to play an important role in the City's active food sector; and,

WHEREAS, The Alemany Market is the only one of the 19 certified famers' markets in San Francisco that is managed directly by the City; and,

WHEREAS, The City's Real Estate Department assumed management duties of the market in 2004; and,

WHEREAS, As the operator of the market, the City has a particular responsibility to ensure that the Alemany Market is managed in a way that is supportive of small businesses and delivers a high quality market experience for all users; now, therefore, be it

MOVED, That the Budget and Legislative Analyst is hereby directed to conduct an audit of the current finances and management of the Alemany Farmer's Market.

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File Number: 100139 **Date Passed:** March 09, 2010

Motion directing the Budget and Legislative Analyst to conduct an audit of the Alemany Farmers' Market and the Real Estate Department in its capacity as operator of the market.

March 09, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100139

I hereby certify that the foregoing Motion was APPROVED on 3/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100193 MOTION NO. M10-41

[Appointment, Sunshine Ordinance Task Force]

Motion appointing Bruce Wolfe, term ending April 27, 2010, to the Sunshine Ordinance Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Sunshine Ordinance Task Force, pursuant to the provisions of the San Francisco Administrative Code Section 67.30, for the term specified:

Bruce Wolfe, seat 8, succeeding Kristin Chu, resigned, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2010.

Rules Committee

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File Number: 100193 **Date Passed:** March 16, 2010

Motion appointing Bruce Wolfe, term ending April 27, 2010, to the Sunshine Ordinance Task Force.

March 16, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 2 - Alioto-Pier and Mirkarimi

File No. 100193

I hereby certify that the foregoing Motion was APPROVED on 3/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100194 MOTION NO. M10-42

[Appointments, Eastern Neighborhoods Citizens Advisory Committee]

Motion appointing Cynthia Scully, term ending October 19, 2013 and Matthias Mormino, term ending October 19, 2011 to the Eastern Neighborhoods Citizens Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Eastern Neighborhoods Citizens Advisory Committee, pursuant to the provisions in the San Francisco Administrative Code Chapter 10E., for the terms specified:

Cynthia Scully, seat 2, succeeding Eric Smith, resigned, must be nominated by District 10 Supervisor and confirmed by the full Board, for the unexpired portion of a four-year term ending October 19, 2013.

Matthias Mormino, seat 9, new appointment, must be nominated by District 9 Supervisor and confirmed by the full Board, for the unexpired portion of a two-year term ending October 19, 2011.

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File Number: 100194 **Date Passed:** March 16, 2010

Motion appointing Cynthia Scully, term ending October 19, 2013, and Matthias Mormino, term ending October 19, 2011, to the Eastern Neighborhoods Citizens Advisory Committee.

March 16, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 2 - Alioto-Pier and Mirkarimi

File No. 100194

I hereby certify that the foregoing Motion was APPROVED on 3/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100195 MOTION NO. M10-43

[Appointment – Children and Families First Commission]

Motion appointing Twila Brown, for an indefinite term, to the Children and Families First Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Children and Families First Commission, pursuant to the provisions of the San Francisco Administrative Code, Sections 10.117-122 and 86.1 through 86.5, for the term specified:

Twila Brown, seat 1, succeeding Maria Martinez, resigned, shall be the Director of Public Health or his or her designee, for an indefinite term.

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File Number: 100195 Date Passed: March 16, 2010

Motion appointing Twila Brown, for an indefinite term, to the Children and Families First Commission.

March 16, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 2 - Alioto-Pier and Mirkarimi

File No. 100195

I hereby certify that the foregoing Motion was APPROVED on 3/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100196 MOTION NO M10-44

[Appointments, Sweatfree Procurement Advisory Group]

Motion appointing Jason Oringer and Sarah Church, terms ending December 17, 2011, to the Sweatfree Procurement Advisory Group, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Sweatfree Procurement Advisory Group, pursuant to the provisions of Board of Supervisors Ordinance No. 223-05, for the terms specified:

Jason Oringer, seat 1, succeeding himself, term expired, must have significant experience representing employees in labor matter, for the unexpired portion of a two-year term ending December 17, 2011.

Sarah Church (residency requirement waived), seat 3, succeeding herself, term expired, must have significant experience as an advocate for human rights or the poor, for the unexpired portion of a two-year term ending December 17, 2011.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Sweatfree Procurement Advisory Group has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Sarah Church, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Sweatfree Procurement Advisory Group.
3. The Sweatfree Procurement Advisory Group has attempted to fill the position for which Sarah Church was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to

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do so at this time. The Rules Committee has certified that Sarah Church is qualified to serve on the Sweatfree Procurement Advisory Group.

4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the Sweatfree Procurement Advisory Group at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Sarah Chuch, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

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File Number: 100196 **Date Passed:** March 16, 2010

Motion appointing Jason Oringer and Sarah Church, terms ending December 17, 2011, to the Sweatfree Procurement Advisory Group.

March 16, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 2 - Alioto-Pier and Mirkarimi

File No. 100196

I hereby certify that the foregoing Motion was APPROVED on 3/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100283 MOTION NO. M10-45

[Update on labor negotiations concerning City workers from the Mayor's Office and the Department of Human Resources.]

Motion that the Board of Supervisors convene in closed session on March 15, 2010 with the Mayor's Office and the Department of Human Resources regarding negotiations with labor unions representing City workers.

WHEREAS, This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code 67.10(e); now, therefore, be it

MOVED, That the Board of Supervisors convene in closed session on March 15, 2010 with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

Supervisor Chiu
BOARD OF SUPERVISORS

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3/10/2010

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File Number: 100283 Date Passed: March 16, 2010

Motion that the Board of Supervisors convene in closed session on March 16, 2010, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

March 16, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 2 - Alioto-Pier and Mirkarimi

File No. 100283

I hereby certify that the foregoing Motion was APPROVED on 3/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100258 MOTION NO. M10-46

[Final Map 5649: 445 – 701 Wawona Street]

Motion approving Final Map 5649, a Three Lot Subdivision Project, located at 445 – 701 Wawona Street being a subdivision of Lot 093 in Assessors Block No. 2540 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 5649", comprising 3 sheets, approved February 16, 2010, by Department of Public Works Order No. 178, 547 is hereby approved and said map is adopted as an Official Final Map 5649; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated July 29, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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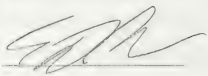
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

[redacted]
[redacted]
San Francisco, CA 94102-4689

File Number: 100258 **Date Passed:** March 16, 2010

Motion approving Final Map 5649, a Three Lot Subdivision Project, located at 445 - 701 Minnesota Street being a subdivision of Lot 093 in Assessors Block No. 2540 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

March 16, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 2 - Alioto-Pier and Mirkarimi

File No. 100258

I hereby certify that the foregoing Motion was APPROVED on 3/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100377 MOTION NO. M10-47

[Rejecting the San Francisco Municipal Transportation Agency's Proposed Fare Changes to Create New Premium Monthly MUNI Passes]

Motion rejecting the San Francisco Municipal Transportation Agency's proposed fare changes to create Premium Monthly San Francisco Municipal Railway Passes for express bus routes and cable cars.

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) is responsible for providing safe, reliable, clean, and accessible public transit services to San Franciscans; and

WHEREAS, Proposition E of November 1999 and Proposition A of November 2007 vested the SFMTA Board of Directors with the responsibility to advocate for San Francisco transit riders in the annual budget process; and

WHEREAS, The SFMTA is facing at least a $12.1 million budget deficit for fiscal year 2009-2010 and a projected $56.4 million budget deficit for fiscal year 2010-2011; and

WHEREAS, To address these shortfalls, the SFMTA Board of Directors recently approved fare changes to create more expensive Premium Monthly San Francisco Municipal Railway (Muni) passes for express bus routes and cable cars; and

WHEREAS, These new Premium Monthly passes are projected to generate $1.8 million annually in additional revenue for the SFMTA; and

WHEREAS, On January 1, 2010, the SFMTA instituted a tiered monthly fare structure for Muni-only passes and passes that allow for BART trips within San Francisco; and

WHEREAS, The proposed creation of additional tiers of monthly fares will cause further confusion among riders and violates the SFMTA's mission of providing transit services accessible to all San Franciscans; and

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WHEREAS, At the SFMTA Board of Directors meetings on February 26, 2010 and March 2, 2010 where these fare changes were reviewed, there was much less focus on the premium monthly passes than on the proposed service cuts and fare increases to the senior, youth, and disabled monthly passes; and

WHEREAS, The proposed Premium Monthly Pass applies to all peak hour express routes except for the 8A, 8AX, 8BX; and

WHEREAS, This exemption of a single route-grouping from the proposed Premium Monthly Pass has not been fully vetted; and

WHEREAS, On Tuesday, March 23, 2010, Governor Schwarzenegger signed Assembly Bills ABX8 6 and ABX8 9 to restore gas tax funding for public transit, which are expected to provide $36 million for Muni for Fiscal Year 2009-2010 and $31 million for Fiscal Year 2010-2011; and

WHEREAS, This unexpected funding source could be used to offset the loss of the projected revenue from the Premium Monthly Passes; and

WHEREAS, San Francisco Charter Section 8A.106(d) provides for the Board of Supervisors to reject an SFMTA budget amendment by a seven-elevenths' vote taken within 30 days after its submission to the Board of Supervisors, now, therefore, be it

MOVED, That pursuant to Charter Section 8A.106(d), the Board of Supervisors of the City and County of San Francisco rejects the SFMTA's proposed fare changes to create Premium Monthly Muni passes for express bus routes and cable cars; and be it

FURTHER MOVED, That the Board of Supervisors will continue to evaluate future changes to Muni fares or service and will act to ensure that Muni fares and service remain as fair and effective as possible.

1 Dr. Carlton B. Goodlett Place

File Number: 100377 **Date Passed:** March 30, 2010

Motion rejecting the San Francisco Municipal Transportation Agency's proposed fare changes to create Premium Monthly San Francisco Municipal Railway Passes for express bus routes and cable cars

March 30, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100377

I hereby certify that the foregoing Motion was APPROVED on 3/30/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100344 MOTION NO. M10-48

[Committee of the Whole – Hearing on the Submission of a Design-Build Application to the California State Public Works Board]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 30, 2010, at 3:00 p.m. to hold a public hearing on the Redevelopment Agency submission of a Design-Build application to the California State Public Works Board.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on March 30, 2010 at 3:00p.m. to hear a resolution authorizing the submission, by the Redevelopment Agency of the City and County of San Francisco, of a Design-Build application to the California State Public Works Board under California Public Contract Code Section 20688.6, and to adopt findings under California Health and Safety Code Section 33445 for the purpose of making improvements to the Community Facility Parcel, "Lot D" of the Hunters Point Shipyard Redevelopment Project.

Supervisor Maxwell
BOARD OF SUPERVISORS

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City Hall
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File Number: 100344 **Date Passed:** March 23, 2010

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 30, 2010, at 3:00 p.m. to hold a public hearing on the Redevelopment Agency submission of a Design-Build application to the California State Public Works Board.

March 23, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100344

I hereby certify that the foregoing Motion was APPROVED on 3/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100345 MOTION NO. M10-49

[Committee of the Whole – Hearing on the Expenditure of Tax Increment Funds for Certain Streetscape Improvements in the Bayview Hunters Point Redevelopment Project Area]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 30, 2010, at 3:00 p.m. to hold a public hearing on the expenditure of tax increment funds, by the Redevelopment Agency, for a set of City owned streetscape improvements of the 1700 block of Newcomb Avenue in the Bayview Hunters Point Redevelopment Project Area.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on March 30, 2010 at 3:00p.m. to consider making findings under Health and Safety Code Section 33445 for the expenditure of tax increment funds, by the Redevelopment Agency of the City and County of San Francisco, in an amount not to exceed $600,000 for the completion of construction documents, capital improvement costs, and construction costs for City owned streetscape improvements on the 1700 block of Newcomb Avenue in the Bayview Hunters Point Redevelopment Project Area.

Supervisor Maxwell
BOARD OF SUPERVISORS

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File Number: 100345 **Date Passed:** March 23, 2010

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 30, 2010, at 3:00 p.m. to hold a public hearing on the expenditure of tax increment funds, by the Redevelopment Agency, for a set of City owned streetscape improvements of the 1700 block of Newcomb Avenue in the Bayview Hunter's Point Redevelopment Project Area.

March 23, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100345

I hereby certify that the foregoing Motion was APPROVED on 3/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100259 MOTION NO. M10-50

[Appointments, Pedestrian Safety Advisory Committee]

Motion appointing Catherine Liddell, Pi Ra, Richard Rothman, Mari Hunter, Howard Strassner, Dahianna Lopez and Paul Supawanich, terms ending March 28, 2011, and March 28, 2012, to the Pedestrian Safety Advisory Committee, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Pedestrian Safety Advisory Committee, pursuant to the provisions of the Administrative Code Article IV sections 5.20 and 5.21, for the terms specified:

Catherine Liddell, seat 1, succeeding herself, term expired, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2012.

Pi Ra, seat 2, succeeding himself, term expired, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2011.

Richard Rothman, seat 3, succeeding himself, term expired, must be a representative from senior or disability organizations, for the unexpired portion of a two-year term ending March 28, 2011.

Mari Hunter, seat 5, succeeding Catherine Liddell, term expired, must be a representative from bicycle or other non-motorized wheeled personal transport organization, for the unexpired portion of a two-year term ending March 28, 2011.

Howard Strassner, seat 6, succeeding himself, term expired, must be a representative from transit or environmental organization, for the unexpired portion of a two-year term ending March 28, 2012.

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Rules Committee

Dahianna Lopez (residency requirement waived), seat 8, succeeding Shirley Bierly, term expired, must be representative from a public health organization, for the unexpired portion of a two-year term ending March 28, 2012.

Paul Supawanich, seat 10, succeeding William Riggs, term expired, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2012.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Pedestrian Safety Advisory Committee has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Dahianna Lopez, appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Pedestrian Safety Advisory Committee.
3. The Pedestrian Safety Advisory Committee has attempted to fill the position, for which Dahianna Lopez was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Dahianna Lopez is qualified to serve on the Pedestrian Safety Advisory Committee.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the Pedestrian Safety Advisory Committee at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Dahianna Lopez, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to

boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

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File Number: 100259 **Date Passed:** March 30, 2010

Motion appointing Catherine Liddell, Pi Ra, Richard Rothman, Mari Hunter, Howard Strassner, Dahianna Lopez and Paul Supawanich, terms ending March 28, 2011, and March 28, 2012, to the Pedestrian Safety Advisory Committee, residency requirement waived.

March 30, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100259

I hereby certify that the foregoing Motion was APPROVED on 3/30/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100260 MOTION NO. M10-51

[Appointments, In-Home Supportive Services Public Authority]

Motion appointing Patricia Webb, Elva Hernandez, Kelly Dearman, James Illig, Tatiana Kostanian and Ethel Richardson, terms ending March 1, 2013, to the In-Home Supportive Services Public Authority, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the following designated persons to serve as members of the In-Home Supportive Services Public Authority, pursuant to the provisions of Welfare and Institutions Code Section 12301.6, and Board of Supervisors Ordinance Nos. 185-95 and 55-05, for the terms specified:

Patricia Webb, seat 2, succeeding herself, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2013.

Elva Hernandez (residency requirement waived), seat 4, succeeding herself, must be a worker who provides personal assistance services to a consumer, for the unexpired portion of a three-year term ending March 1, 2013.

Kelly Dearman, seat 6, succeeding herself, must be a member of the Human Services Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2013.

James Illig, seat 8, succeeding himself, must be a member of the Health Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2013.

Rules Committee

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Tatiana Kostanian, seat 9, succeeding herself, must be a member of the Mayor's Disability Council, recommended to the Board by the Council, for the unexpired portion of a three-year term ending March 1, 2013.

Ethel Richardson, seat 10, succeeding herself, must be a consumer over the age of 55, authorized to represent organizations that advocate for aging people with disabilities, for the unexpired portion of a three-year term ending March 1, 2013.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the In-Home Supportive Services Public Authority has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Elva Hernandez, appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the In-Home Supportive Services Public Authority.
3. The In-Home Supportive Services Public Authority has attempted to fill the position, for which Elva Hernandez was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Elva Hernandez is qualified to serve on the In-Home Supportive Services Public Authority.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the In-Home Supportive Services Public Authority at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Elva Hernandez, as allowed in cases where no qualified City resident, willing to serve, can

be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

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File Number: 100260 Date Passed: March 30, 2010

Motion appointing Patricia Webb, Elva Hernandez, Kelly Dearman, James Illig, Tatiana Kostanian and Ethel Richardson, terms ending March 1, 2013, to the In-Home Supportive Services Public Authority.

March 30, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100260

I hereby certify that the foregoing Motion was APPROVED on 3/30/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100261 MOTION NO. M10-52

[Appointment - Urban Forestry Council]

Motion appointing Rose Hillson, term ending November 18, 2010, to the Urban Forestry Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Urban Forestry Council, pursuant to the provisions of the San Francisco Administrative Code, Chapter 5, Article XXIII, for the term specified:

Rose Hillson, seat 6, succeeding Carolyn Blair, resigned, must be a representative of the community, for the unexpired portion of a two-year term ending November 18, 2010

Rules Committee
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File Number: 100261 Date Passed: March 30, 2010

Motion appointing Rose Hillson, term ending November 18, 2010, to the Urban Forestry Council.

March 30, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100261

I hereby certify that the foregoing Motion was APPROVED on 3/30/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100262 MOTION NO. M10-53

[Removal of Tommy Escarcega from the Reentry Council]

Motion removing Tommy Escarcega from the Reentry Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby remove Tommy Escarcega from her appointment to seat 1 on the Reentry Council for the two-year term ending July 17, 2011.

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Supervisor David Campos

BOARD OF SUPERVISORS

03/09/2010

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File Number: 100262 **Date Passed:** March 30, 2010

Motion removing Tommy Escarcega from the Reentry Council.

March 30, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100262

I hereby certify that the foregoing Motion was APPROVED on 3/30/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100293 MOTION NO. M10-54

[Appointments – Shelter Monitoring Committee]

Motion appointing Mary Howe and Robert Weber, terms ending November 23, 2010, to the Shelter Monitoring Committee, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Shelter Monitoring Committee, pursuant to the provisions of Ordinance No. 283-04 and Article XII of Article 20 of the San Francisco Administrative Code, for the terms specified:

Mary Howe (residency requirement waived), seat 3, succeeding Aubrey Moore resigned, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2010.

Robert Weber, seat 6, succeeding Amanda Thompson, resigned, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2010.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Shelter Monitoring Committee has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Mary Howe, appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Shelter Monitoring Committee.
3. The Shelter Monitoring Committee has attempted to fill the position for which Mary Howe was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this

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time. The Rules Committee has certified that Mary Howe is qualified to serve on the Shelter Monitoring Committee.

4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on Shelter Monitoring Committee at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Mary Howe, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

File Number: 100293 **Date Passed:** March 30, 2010

Motion appointing Mary Howe and Robert Weber, terms ending November 23, 2010, to the Shelter Monitoring Committee, residency requirement waived.

March 30, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100293

I hereby certify that the foregoing Motion was APPROVED on 3/30/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

M10-55

FILE NO. 100329

Amendment of the Whole – 3/31/10
MOTION NO.

[Off-Site Budget and Finance Committee Meeting on April 14, 2010, 4:00 p.m. at Horace Mann Middle School]

Motion ordering the April 14, 2010, meeting of the Budget and Finance Committee be held at Horace Mann Middle School, 3351 - 23rd Street, auditorium in the Mission district of San Francisco; and ordering a meeting of the full Board of Supervisors be convened for the same date, time, and place should a quorum of the full Board be present.

WHEREAS, In the November 1993 election, Proposition O was passed by the voters of San Francisco to allow meetings of the San Francisco Board of Supervisors to be held outside of City Hall; and,

WHEREAS, Specifically, residents of the City have expressed the desire to have direct dialogue and more access to the Board of Supervisors Budget and Finance committee members; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby order that the April 14, 2010, meeting of the Budget and Finance Committee be held at Horace Mann Middle School in the Mission district of San Francisco at 4:00 p.m.; and, be it

FURTHER MOVED, That in the event a quorum of the Board of Supervisors attends this meeting, a meeting of the full Board of Supervisors shall be convened.

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Supervisor Avalos
BOARD OF SUPERVISORS

City Hall
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File Number: 100329 Date Passed: April 06, 2010

Motion ordering the April 14, 2010, meeting of the Budget and Finance Committee be held at Horace Mann Middle School, 3351 - 23rd Street, auditorium in the Mission district of San Francisco; and ordering a meeting of the full Board of Supervisors be convened for the same date, time, and place should a quorum of the full Board be present.

April 06, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100329

I hereby certify that the foregoing Motion was APPROVED on 4/6/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100368

Amendment of the Whole – 3/31/10
MOTION NO. M10-56

[Off-Site Budget and Finance Committee Meeting on April 21, 2010, at 4:00 p.m. at the Hall of Flowers]

Motion ordering the April 21, 2010, meeting of the Budget and Finance Committee be held at the Hall of Flowers, 9th Avenue at Lincoln Way, in the Inner Sunset district of San Francisco; and ordering a meeting of the full Board of Supervisors be convened for the same date, time, and place should a quorum of the full Board be present.

WHEREAS, In the November 1993 election, Proposition O was passed by the voters of San Francisco to allow meetings of the San Francisco Board of Supervisors to be held outside of City Hall; and,

WHEREAS, Specifically, residents of the City have expressed the desire to have direct dialogue and more access to the Board of Supervisors Budget and Finance committee members; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby order that the April 21, 2010, meeting of the Budget and Finance Committee be held at the Hall of Flowers in the Inner Sunset district of San Francisco at 4:00 p.m.; and, be it

FURTHER MOVED, That in the event a quorum of the Board of Supervisors attends this meeting, a meeting of the full Board of Supervisors shall be convened.

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City and County of San Francisco
Tails
Motion: M10-56

City Hall
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File Number: 100368 **Date Passed:** April 06, 2010

Motion ordering the April 21, 2010, meeting of the Budget and Finance Committee be held at the Hall of Flowers, 9th Avenue at Lincoln Way, in the Inner Sunset district of San Francisco; and ordering a meeting of the full Board of Supervisors be convened for the same date, time, and place should a quorum of the full Board be present.

April 06, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100368

I hereby certify that the foregoing Motion was APPROVED on 4/6/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100303 MOTION NO. M10-57

[Reappointment, Small Business Commission – Luke O'Brien]

Motion approving the Mayor's reappointment of Luke O'Brien to the Small Business Commission, for the term ending January 6, 2014.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the reappointment of Luke O'Brien to the Small Business Commission, received by the Clerk of the Board on March 12, 2010; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the reappointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Reappointment, and the failure of the Board to reject the reappointment by two-thirds vote within the thirty day time period shall result in the reappointee continuing to serve as reappointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's reappointment to the Small Business Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Luke O'Brien to the Small Business Commission, for the term ending January 6, 2014.

Clerk of the Board
BOARD OF SUPERVISORS

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File Number: 100303 **Date Passed:** April 06, 2010

Motion approving the Mayor's reappointment of Luke O'Brien to the Small Business Commission, for the term ending January 6, 2014.

April 06, 2010 Board of Supervisors - APPROVED
Ayes: 6 - Chiu, Chu, Dufty, Elsbernd, Mar and Maxwell
Noes: 4 - Avalos, Campos, Daly and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100303

I hereby certify that the foregoing Motion was APPROVED on 4/6/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100305 MOTION NO. M10-58

[Reappointment, Small Business Commission – Richard Ventura]

Motion approving the Mayor's reappointment of Richard Ventura to the Small Business Commission, for the term ending January 6, 2014.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the reappointment of Richard Ventura to the Small Business Commission, received by the Clerk of the Board on March 12, 2010; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the reappointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Reappointment, and the failure of the Board to reject the reappointment by two-thirds vote within the thirty day time period shall result in the reappointee continuing to serve as reappointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's reappointment to the Small Business Commission: now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Richard Ventura to the Small Business Commission, for the term ending January 6, 2014.

Clerk of the Board
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File Number: 100305 Date Passed: April 06, 2010

Motion approving the Mayor's reappointment of Richard Ventura to the Small Business Commission, for the term ending January 6, 2014.

April 06, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100305

I hereby certify that the foregoing Motion was APPROVED on 4/6/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100307 MOTION NO. M10-59

[Reappointment, Juvenile Probation Commission – Dirk Beijen]

Motion approving the Mayor's reappointment of Dirk Beijen to the Juvenile Probation Commission, for the term ending January 14, 2014.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the reappointment of Dirk Beijen to the Juvenile Probation Commission, received by the Clerk of the Board on March 12, 2010; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the reappointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Reappointment, and the failure of the Board to reject the reappointment by two-thirds vote within the thirty day time period shall result in the reappointee continuing to serve as reappointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's reappointment to the Juvenile Probation Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Dirk Beijen to the Juvenile Probation Commission, for the term ending January 14, 2014

Clerk of the Board
BOARD OF SUPERVISORS

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File Number: 100307 **Date Passed:** April 06, 2010

Motion approving the Mayor's reappointment of Dirk Beijen to the Juvenile Probation Commission, for the term ending January 14, 2014.

April 06, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100307

I hereby certify that the foregoing Motion was APPROVED on 4/6/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100392 MOTION NO. M10-60

[Appointments, Eastern Neighborhoods Citizens Advisory Committee]

Motion appointing Toby Levy and Henry Karnilowitz, terms to be determined, to the Eastern Neighborhoods Citizens Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Eastern Neighborhoods Citizens Advisory Committee, pursuant to the provisions in the San Francisco Administrative Code Chapter 10E., for the terms specified:

Toby Levy, seat 10, new appointment, must be appointed by the Western SoMa Planning Area Task Force and confirmed by the full Board, for a term to be determined.

Henry Karnilowitz, seat 11, new appointment, must be appointed by the Western SoMa Planning Area Task Force and confirmed by the full Board, for a term to be determined.

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File Number: 100392 Date Passed: April 13, 2010

Motion appointing Toby Levy and Henry Karnilowitz, terms to be determined, to the Eastern Neighborhoods Citizens Advisory Committee.

April 13, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100392

I hereby certify that the foregoing Motion was APPROVED on 4/13/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100393

MOTION NO. M10-61

[Appointment – Market and Octavia Community Advisory Committee]

Motion appointing Marius Starkey, term ending December 16, 2010, to the Market and Octavia Community Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Market and Octavia Community Advisory Committee, pursuant to the provisions of Ordinance No. 72-08 and Resolution No. 474-08, for the term specified:

Marius Starkey, seat 1, succeeding Julian Davis, resigned, must be a resident renter and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2010.

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File Number: 100393 **Date Passed:** April 13, 2010

Motion appointing Marius Starkey, term ending December 16, 2010, to the Market and Octavia Community Advisory Committee.

April 13, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100393

I hereby certify that the foregoing Motion was APPROVED on 4/13/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100394 MOTION NO. M10-62

[Appointment, Local Homeless Coordinating Board]

Motion appointing Erick Brown, term ending October 21, 2010, to the Local Homeless Coordinating Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Local Homeless Coordinating Board, pursuant to the provisions of Resolution No. 827-97 and Resolution No. 926-99, for the term specified:

Erick Brown, seat 4, succeeding Ginger Martin, resigned, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a five-year term ending October 21, 2010.

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File Number: 100394 **Date Passed:** April 13, 2010

Motion appointing Erick Brown, term ending October 21, 2010, to the Local Homeless Coordinating Board

April 13, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100394

I hereby certify that the foregoing Motion was APPROVED on 4/13/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100289 MOTION NO. M10-63

[Affirming the Statutory Exemption Determination for the San Francisco Municipal Transportation Agency Fiscal Emergency]

Motion affirming the determination by the Planning Department that the San Francisco Municipal Transportation Agency decision to implement service reductions is statutorily exempt from environmental review.

WHEREAS, The Planning Department issued a Statutory Exemption Certificate on January 4, 2010, finding that the San Francisco Municipal Transportation Agency response to a fiscal emergency by approving actions that would reduce service by up to 325,000 annual service hours through modifications to most of the Muni bus routes and rail lines (the "Project") fits within the definition of the statutory exemption set forth in the California Environmental Quality Act ("CEQA"), California Public Resources Code Section 21080.32 and CEQA Guidelines Section 15285, and therefore qualifies for an exemption from environmental review; and

WHEREAS, on March 2, 2010, David Pilpel appealed the Planning Department's determination that the Project met the terms of the statutory exemption to this Board of Supervisors; and

WHEREAS, On April 13, 2010, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellant, and following the public hearing affirmed the exemption determination by the Planning Department that the Project is exempt from environmental review; and

WHEREAS, In reviewing the appeal of the statutory exemption determination, this Board reviewed and considered the exemption determination, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and

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opposed to the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 100288 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the determination made by the Planning Department that the Project is exempt from environmental review; and be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department that the proposed Project is exempt from environmental review; and be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the Project meets the criteria for a statutory exemption determination under Public Resources Code Section 21080.32 and CEQA Guidelines Section 15285 and affirms the Planning Department's determination.

File Number: 100289 **Date Passed:** April 13, 2010

Motion affirming the determination by the Planning Department that the San Francisco Municipal Transportation Agency decision to implement service reductions is statutorily exempt from environmental review.

April 13, 2010 Board of Supervisors - APPROVED

Ayes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd and Maxwell

Noes: 5 - Avalos, Campos, Daly, Mar and Mirkarimi

File No. 100289

I hereby certify that the foregoing Motion was APPROVED on 4/13/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100445 MOTION NO. M10-64

[Reversing the Certification of the 555 Washington Street Project Final Environmental Impact Report]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project.

WHEREAS, the Project Sponsor proposes to demolish two buildings at 501-505 Washington Street and 545 Sansome Street, and construct a 38-story, approximately 390 foot-tall building topped with a mechanical penthouse and architectural screening reaching a height to approximately 430 feet, which building would contain approximately 332,000 gross square feet of floor area, including 248 residential units, 4,640 square feet of ground-floor retail space, and four levels of subsurface parking with 215 parking spaces plus 2 car share spaces, and which project would also renovate and dedicate Redwood Park as a public park (the "Project"); and

WHEREAS, the Project Sponsor applied for environmental review for the Project and for approvals including an increase in the cumulative shadow limits for Maritime Plaza and to establish cumulative shadow limits for Sue Bierman Park, a shadow impact determination under Section 295 of the Planning Code, dedication of Redwood Park, General Plan consistency determination, amendments to the height and bulk maps of the Planning Code and General Plan, various exceptions under Section 309 of the Planning Code, an open space variance; and vacation of Mark Twain Alley (City Planning File 2002.0133EMRKXV); and

WHEREAS, The Planning Department ("Department") determined that an Environmental Impact Report ("EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on November 27, 2007; and

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WHEREAS, On March 25, 2009, the Department published the Draft Environmental Impact Report ("DEIR"); and

WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR on May 7, 2009, at which time public comment was received on the DEIR and written comments were received through May 18, 2009; and

WHEREAS, The Department prepared responses to comments received at the public hearing and in writing during the 54-day public review period for the DEIR, prepared revisions to the text of the DEIR and published a Draft Comments and Responses document on January 7, 2010; and

WHEREAS, A Final Environmental Impact Report (FEIR) was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Draft Comments and Responses document, all as required by law; and

WHEREAS, On March 18, 2010, the Commission reviewed and considered the FEIR and, by Motion No. 18046, found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18046, the Commission found the FEIR reflected the independent judgment and analysis of the Department and Commission, was adequate, accurate and objective, and that the Comments and Responses document contained no significant revisions to the DEIR and certified the FEIR, finding that the Project described in the FEIR will have a project-specific unavoidable significant effect on the environment on historical resources in that it would demolish a potentially significant historic building at 545 Sansome Street, and

WHEREAS, By Motion No. 18047, the Commission adopted CEQA findings related to the Project approvals, including a statement of overriding considerations, and adopted a Mitigation Monitoring and Reporting Program for the Project, and

WHEREAS, on March 18, 2010, at a joint hearing with the Recreation and Park Commission, the Planning Commission and the Recreation and Park Commission approved raising the cumulative shadow limit for Maritime Plaza and establishing a cumulative shadow limit for Sue Bierman Park, found that net new shadow from the project would not be adverse, and authorized the allocation of the cumulative shadow limits for Sue Bierman Park and Maritime Plaza to the Project, and the Recreation and Park Commission recommended to the Board of Supervisors that the Board of Supervisors approve and authorize the execution of the documentation effectuating the expansion, renovation, improvement and subsequent dedication of Redwood Park to the City, and accept the dedication of Redwood Park pursuant to such documentation; and,

WHEREAS, On April 2, 2010, Sue Hester, on behalf of San Franciscan's for Reasonable Growth, and Vedica Puri, on behalf of Telegraph Hill Dwellers, filed appeals of the FEIR with the Clerk of the Board of Supervisors; and,

WHEREAS, The Board of Supervisors held a public hearing on the Project to review the decision by the Planning Commission to certify the FEIR; and

WHEREAS, The Board has reviewed and considered the FEIR, the appeal letter(s), the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Commission, and the public, which

files are available for public review by appointment at the Department offices at 1650 Mission Street, and are part of the record before the Board of Supervisors; now therefore be it,

MOVED, This Board hereby reverses the decision of the Planning Commission in its Motion No. 18046 to certify the FEIR.

File Number: 100445 **Date Passed:** April 20, 2010

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project.

April 20, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Mirkarimi
Excused: 1 - Maxwell

File No. 100445

I hereby certify that the foregoing Motion was APPROVED on 4/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100446 Amendment of the Whole in Board 4/20/10 MOTION NO M10-65

[Preparation of Findings to Reverse Certification of the 555 Washington Street Project Final Environmental Impact Report.]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project.

WHEREAS, the Project Sponsor proposes to demolish two buildings at 501-505 Washington Street and 545 Sansome Street, and construct a 38-story, approximately 390 foot-tall building topped with a mechanical penthouse and architectural screening reaching in height to approximately 430 feet, which building would contain approximately 332,000 gross square feet of floor area, including 248 residential units, 4,640 square feet of ground-floor retail space, and four levels of subsurface parking with 215 parking spaces plus 2 car share spaces, and which project would also renovate and dedicate Redwood Park as a public park (the "Project"); and

WHEREAS, the Project Sponsor applied for environmental review for the Project and for approvals including an increase in the cumulative shadow limits for Maritime Plaza and to establish cumulative shadow limits for Sue Bierman Park, a shadow impact determination under Section 295 of the Planning Code, dedication of Redwood Park, General Plan consistency determination, amendments to the height and bulk maps of the Planning Code and General Plan, various exceptions under Section 309 of the Planning Code, an open space variance; and vacation of Mark Twain Alley (City Planning File 2002.0133EMRKXVU); and

WHEREAS, The Planning Department ("Department") determined that an Environmental Impact Report ("EIR") was required and provided public notice of that

Clerk of the Board
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determination by publication in a newspaper of general circulation on November 27, 2007; and

WHEREAS, On March 25, 2009, the Department published the Draft Environmental Impact Report ("DEIR"); and

WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR on May 7, 2009, at which time public comment was received on the DEIR and written comments were received through May 18, 2009; and

WHEREAS, The Department prepared responses to comments received at the public hearing and in writing during the 54-day public review period for the DEIR, prepared revisions to the text of the DEIR and published a Draft Comments and Responses document on January 7, 2010; and

WHEREAS, A Final Environmental Impact Report (FEIR) was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Draft Comments and Responses document, all as required by law; and

WHEREAS, On March 18, 2010, the Commission reviewed and considered the FEIR and, by Motion No. 18046, found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18046, the Commission found the FEIR reflected the independent judgment and analysis of the Department and Commission, was adequate, accurate and objective, and that the Comments and Responses document contained no significant revisions to the DEIR and certified the FEIR, finding that the Project described in the FEIR will have a project-specific unavoidable significant effect on the environment on

historical resources in that it would demolish a potentially significant historic building at 540 Sansome Street, and

WHEREAS, By Motion No. 18047, the Commission adopted CEQA findings related to the Project approvals, including a statement of overriding considerations, and adopted a Mitigation Monitoring and Reporting Program for the Project, and

WHEREAS, on March 18, 2010, at a joint hearing with the Recreation and Park Commission, the Planning Commission and the Recreation and Park Commission approved raising the cumulative shadow limit for Maritime Plaza and establishing a cumulative shadow limit for Sue Bierman Park, found that net new shadow from the project would not be adverse and authorized the allocation of the cumulative shadow limits for Sue Bierman Park and Maritime Plaza to the Project, and the Recreation and Park Commission recommended to the Board of Supervisors that the Board of Supervisors approve and authorize the execution of the documentation effectuating the expansion, renovation, improvement and subsequent dedication of Redwood Park to the City, and accept the dedication of Redwood Park pursuant to such documentation; and,

WHEREAS, On April 2, 2010, Sue Hester, on behalf of San Franciscan's for Reasonable Growth, and Vedica Puri, on behalf of Telegraph Hill Dwellers, filed appeals of the FEIR with the Clerk of the Board of Supervisors; and,

WHEREAS, The Board of Supervisors held a public hearing on the Project to review the decision by the Planning Commission to certify the FEIR; and

WHEREAS, The Board has reviewed and considered the FEIR, the appeal letter(s), the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors reversed the Commission's decision to certify the FEIR for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Commission, and the public, which files are available for public review by appointment at the Department offices at 1650 Mission Street, and are part of the record before the Board of Supervisors; now therefore be it,

MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the findings specifying the basis for its decision on the appeal of the certification of the FEIR by the Commission for the Project, including the following issues that must be more completely and adequately analyzed in the EIR:

- The revised project proposed by project sponsor should be fully analyzed, with an opportunity for the public to comment on it;
- The project description should be more finite and stable;
- The statement of project objectives as related to the alternatives analysis;
- Housing impacts, including an analysis of consistency with the Housing Element;
- Analysis of land use impacts if the Project's floor area ratio does not rely on inclusion of Redwood Park and Mark Twain Alley in the floor area calculations;
- Shadow impacts – include the quantitative Proposition K analysis in the assessment of shadows on Redwood Park;
- Visual impacts, including impacts on the TransAmerica Pyramid and the historic districts in the area, including Jackson Square Historic District, and impacts caused by the Project's inconsistency with other heights in the area;

- Wind impacts;
- Transportation impacts created by the high levels of parking in the Project; and
- Cumulative analysis of wind, shadow and aesthetic impacts.

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File Number: 100446 **Date Passed:** April 20, 2010

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project.

April 20, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar and Mirkarimi
Noes: 4 - Alioto-Pier, Chu, Dufty and Elsbernd
Excused: 1 - Maxwell

April 20, 2010 Board of Supervisors - APPROVED AS AMENDED
Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar and Mirkarimi
Noes: 4 - Alioto-Pier, Chiu, Dufty and Elsbernd
Excused: 1 - Maxwell

File No. 100446

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 4/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100426 MOTION NO. M10-66

[Appointment, In-Home Supportive Services Public Authority]

Motion appointing Kenzi Robi, term ending March 1, 2012, to the In-Home Supportive Services Public Authority.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the following designated person to serve as a member of the In-Home Supportive Services Public Authority, pursuant to the provisions of Welfare and Institutions Code Section 12301.6, and Board of Supervisors Ordinance Nos. 185-95 and 55-05, for the term specified:

Kenzi Robi, seat 5, succeeding Mike Boyd, term expired, must be consumer at-large between the ages of 18 and 60, for the unexpired portion of a three-year term ending March 1, 2012.

Rules Committee

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File Number: 100426 Date Passed: April 27, 2010

Motion appointing Kenzi Robi, term ending March 1, 2012, to the In-Home Supportive Services Public Authority

April 27, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Mirkarimi
Excused: 1 - Maxwell

File No. 100426

I hereby certify that the foregoing Motion was APPROVED on 4/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100463 MOTION NO. M10-67

[Appointments – SRO Task Force]

Motion appointing Charles Siron, Suresh Patel, Bruce Burge, Seth Katzman, Jorge Portillo, Jeff Buckley, Angela Chu, Matthias Mormino and Patrick Flanagan, terms ending December 31, 2012, to the SRO Task Force, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the SRO Task Force, pursuant to the provisions of Resolution 459-06 and Resolution 457-09, for the terms specified:

Charles Siron, seat 1, succeeding himself, term expired, must be a SRO tenant, for the unexpired portion of a three-year term ending December 31, 2012.

Suresh Patel, seat 2, succeeding himself, term expired, must be a private SRO owner/operator, for the unexpired portion of a three-year term ending December 31, 2012.

Bruce Burge (residency requirement waived), seat 3, succeeding Dipak Patel, term expired, must be a private SRO owner/operator, for the unexpired portion of a three-year term ending December 31, 2012.

Seth Katzman, seat 4, succeeding himself, term expired, must be a non-profit SRO operator/owner, for the unexpired portion of a three-year term ending December 31, 2012.

Jorge Portillo, seat 5, succeeding himself, term expired, must be a representative of the Mission SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.

Jeff Buckley, seat 6, succeeding himself, term expired, must be a representative of the Central City SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.

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Angela Chu, seat 7, succeeding herself, term expired, must be a representative of the Chinatown SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.

Matthias Mormino, seat 8, succeeding himself, term expired, must be a representative of the Families SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.

Patrick Flanagan, seat 9, new appointment, must be a SRO tenant, for the unexpired portion of a three-year term ending December 31, 2012.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the SRO Task Force has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Bruce Burge, appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies him to serve on the SRO Task Force.
3. The SRO Task Force has attempted to fill the position, for which Bruce Burge was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Bruce Burge is qualified to serve on the SRO Task Force.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the SRO Task Force at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Bruce Burge, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to

boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

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File Number: 100463 **Date Passed:** April 27, 2010

Motion appointing Charles Siron, Suresh Patel, Bruce Burge, Seth Katzman, Jorge Portillo, Jeff Buckley, Angela Chu, Matthias Mormino and Patrick Flanagan, terms ending December 31, 2012, to the SRO Task Force, residency requirement waived.

April 27, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Mirkarimi
Excused: 1 - Maxwell

File No. 100463

I hereby certify that the foregoing Motion was APPROVED on 4/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100423 MOTION NO. M10-68

[Appointment - Commission on the Aging Advisory Council]

Motion appointing Elinore Luris, term ending March 31, 2012, to the Commission on the Aging Advisory Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Commission on the Aging Advisory Council, pursuant to the provisions of San Francisco Administrative Code, Section 5.54, for the term specified:

Elinore Luris, seat 1, succeeding Lila McCarthy, must be nominee of District 2 Supervisor, for the unexpired portion of a two-year term ending March 31, 2012.

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File Number: 100423 Date Passed: April 27, 2010

Motion appointing Elinore Luris, term ending March 31, 2012, to the Commission on the Aging and Advisory Council.

April 27, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Mirkarimi
Excused: 1 - Maxwell

File No. 100423

I hereby certify that the foregoing Motion was APPROVED on 4/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100424 MOTION NO. M10-69

[Appointment, Sweatfree Procurement Advisory Board]

Motion appointing Alicia Culver, term ending December 17, 2011, to the Sweatfree Procurement Advisory Board, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Sweatfree Procurement Advisory Board, pursuant to the provisions of Ordinance No. 223-05, for the term specified:

Alicia Culver (residency requirement waived), seat 2, succeeding herself, term expired must have significant experience acquiring goods or services for a public entity, for the unexpired portion of a two-year term ending December 17, 2011.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Sweatfree Procurement Advisory Board has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Alicia Culver, appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Sweatfree Procurement Advisory Board.
3. The Sweatfree Procurement Advisory Board has attempted to fill the position for which Alicia Culver was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Alicia Culver is qualified to serve on the Sweatfree Procurement Advisory Board.

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Rules Committee

4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the Sweatfree Procurement Advisory Board at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Alicia Culver, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco

Tails

Motion: M10-69

File Number: 100424 **Date Passed:** April 27, 2010

Motion appointing Alicia Culver, term ending December 17, 2011, to the Sweatfree Procurement Advisory Group, residency requirement waived.

April 27, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Mirkarimi
Excused: 1 - Maxwell

File No. 100424

I hereby certify that the foregoing Motion was APPROVED on 4/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100152 MOTION NO. M10-70

[Affirming the Determination of Exemption Issued for 2462–27th Avenue.]

Motion adopting findings related to affirming the determination by the Planning Department that the project located at 2462–27th Avenue is exempt from environmental review.

WHEREAS, On November 16, 2009, the Planning Department determined that a proposal to add a third floor and rear extension to the existing family home located at 2462 – 27th Avenue, (the "Project") was exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter 31 as a Class 1(e) categorical exemption (the "exemption determination"). By letter to the Clerk of the Board of Supervisors dated February 3, 2010, Sunset Parkside Education and Action Committee filed an appeal of the exemption determination to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around February 3, 2010; and

WHEREAS, This Board heard an earlier appeal of a categorical exemption issued for this Project and by Motion No. 07-82 disapproved the categorical exemption and found that additional information regarding potential impacts on historical resources should be provided; and

WHEREAS, The Planning Department conducted an analysis of the historic resource issues and on November 16, 2009 determined that the project was exempt from environmental review under CEQA as a Class 1(e) categorical exemption; and

WHEREAS, On March 16, 2010, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellant and following the public

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hearing affirmed the exemption determination by the Planning Department that the Project is exempt from environmental review; and

WHEREAS, In reviewing the appeal of the categorical exemption determination, this Board reviewed and considered the exemption determination, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 100151 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination made by the Planning Department that the Project is exempt from environmental review; and be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department that the proposed Project is exempt from environmental review; and be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the Project qualifies for a exemption determination under CEQA Guidelines Section 15301(e); and be it

FURTHER MOVED, That the Board of Supervisors finds that there are no special circumstances present in this case that would require the preparation of a negative declaration or an environmental impact report for the Project under CEQA and CEQA Guidelines and substantial evidence supports the Department's conclusion that there is no substantial adverse change to a historic resource, and there are no other significant impacts or reasons or facts that would preclude the application of a categorical exemption in this case

hearing affirmed the exemption determination by the Planning Department that the Project is exempt from environmental review; and

WHEREAS, In reviewing the appeal of the categorical exemption determination, this Board reviewed and considered the exemption determination, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 100151 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination made by the Planning Department that the Project is exempt from environmental review; and be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department that the proposed Project is exempt from environmental review; and be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the Project qualifies for a exemption determination under CEQA Guidelines Section 15301(e); and be it

FURTHER MOVED, That the Board of Supervisors finds that there are no special circumstances present in this case that would require the preparation of a negative declaration or an environmental impact report for the Project under CEQA and CEQA Guidelines and substantial evidence supports the Department's conclusion that there is no substantial adverse change to a historic resource, and there are no other significant impacts or reasons or facts that would preclude the application of a categorical exemption in this case

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100152 Date Passed: April 27, 2010

Motion affirming the determination by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review.

March 16, 2010 Board of Supervisors - CONTINUED

Ayes: 7 - Avalos, Campos, Chiu, Dufty, Elsbernd, Mar and Maxwell
Excused: 3 - Alioto-Pier, Chu and Mirkarimi
Absent: 1 - Daly

April 27, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Elsbernd, Mar and Mirkarimi
Excused: 2 - Chu and Maxwell

File No. 100152

I hereby certify that the foregoing Motion was APPROVED on 4/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100448 MOTION NO. M10-71

[Affirming the Planning Department Determination of Exemption for 1111 California Street (Nob Hill Masonic Center) Project]

Motion affirming the determination by the Planning Department that the project located at 1111 California Street (Nob Hill Masonic Center) is exempt from environmental review.

WHEREAS, On or about January 18, 2010,the Planning Department determined that a proposal to change the existing non-conforming entertainment to "Other Entertainment," add permanent food and beverage service, and make interior alterations to the auditorium and other interior spaces to the property located at 1111 California Street (the "Project") was exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter 31 as a Class 32 categorical exemption, an "in-fill" development project (the "exemption determination"). By letters to the Clerk of the Board, David Millstein, on behalf of Lee Saylor; and Amy Harmer, Richard Hanson, William Terrell, Adria Price, Aldo Caccamo, David Chow, Donna Muse, and Elizabeth Pomada (collectively, "Appellants"), received by the Clerk's Office on or around April 5, 2010, appealed the exemption determination; and

WHEREAS, On May 4, 2010, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellants, and following the public hearing affirmed the exemption determination; and

WHEREAS, In reviewing the appeal of the exemption determination, this Board reviewed and considered the exemption determination, the appeal letters, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to

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the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 100447 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination; and be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department that the proposed Project is exempt from environmental review; and be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the Project qualifies for a exemption determination under CEQA Guidelines Section 15332 (Class 32).

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100448 **Date Passed:** May 04, 2010

Motion affirming the determination by the Planning Department that the project located at 1111 California Street (Nob Hill Masonic Center) is exempt from environmental review.

May 04, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Alioto-Pier

File No. 100448

I hereby certify that the foregoing Motion was APPROVED on 5/4/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

[Disapproving Planning Commission decision related to Conditional Use Appeal for 1111 California Street; Approving Conditional Use with amended and additional conditions]

Motion disapproving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street; Motion authorizing conditional use subject to the conditions imposed by the Planning Commission, by its Motion No. 18042, as amended by the Board on May 4, 2010, and subject to additional conditions imposed by the Board of Supervisors on May 4, 2010.

MOVED, That the decision of the Planning Commission by its Motion No. 18042, dated March 4, 2010, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street to change the existing non-conforming entertainment use of the "Nob Hill Masonic Center" to "Other Entertainment," pursuant to Planning Code Sections 182(B)(1) and 723.48, and to add permanent food and beverage service for patrons of entertainment and assembly events, pursuant to Planning Code Section 238(D), on a property within the RM-4 (Residential Mixed, High-Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at 1111 California Street, Lot No. 020 in Assessor's Block No. 0253, is disapproved; and be it

FURTHER MOVED, That the Board of Supervisors hereby approves the issuance of Conditional Use Application No. 2008.1072C on property located at 1111 California Street, Lot No. 020 in Assessor's Block No. 0253, subject to the conditions imposed by the Planning Commission in its Motion No. 18042, dated March 4, 2010, as amended by the Board of Supervisors on May 4, 2010, and subject to the additional conditions imposed by the Board on May 4, 2010, as set forth below:

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Amending Condition No. 9: No more than 3,300 patrons shall be permitted for events in the auditorium on the main floor level and mezzanine level of the Masonic Center.

Amending Condition No. 10: There shall be an annual maximum of 85 live entertainment events held at the Masonic Center that start at 7:00 p.m. or later, of which no more than 60 live entertainment events may utilize general admission attendance without assigned seating for patrons in the lower (floor) level of the auditorium. There shall be an annual maximum of 20 events not involving live entertainment held at the Masonic Center that start at 7:00 p.m. or later.

Amending Condition No. 13: All events shall conclude by 11:00 p.m. on weeknights (non-holiday Sunday-Thursday evenings) and 11:30 p.m. on weekends (Friday, Saturday, and holiday evenings). Up to three events per year may extend until 1:00 a.m. on weekends (Friday, Saturday, and holiday evenings), subject to prior consultation with and approval by the San Francisco Police Department, the San Francisco Planning Department, and the Entertainment Commission a minimum of 30 days prior to the date of such event.

Amending Condition No. 14: All patron queuing for events with general admission attendance shall occur within the interior of Masonic Center property, i.e. the main lobby area and Exhibition Hall.

Amending Condition No. 17: There shall be a fixed parking fee for events with more than 1,250 ticketed attendees.

Amending Condition No. 20: The Project Sponsor shall minimize vehicular queuing on California Street by use of the following strategies events with more than 1,250 ticketed patrons:

- Increase traffic staffing inside the California Street garage entrance to increase the rate of vehicular entry to the garage.

- Position security personnel (including San Francisco Police Department services when warranted) outside the garage to assist with controlling and directing traffic, including directing patrons to other nearby garages if and when the Masonic Center garage is full.
- Convert the center lane of the existing garage entrance ramp to a second inbound lane to increase queuing room within the garage.
- Event staff shall ensure u-turns are prevented and that the cable car lane is free flowing.

Amending Condition 24: The Project Sponsor shall use the Pine Street loading dock for all loading and unloading to the commercial kitchen and for normal building operation supplies.

24(a) The Pine Street loading area shall be upgraded to enclose end of ramp and improve access to passenger elevators.

Amending Condition 26: The Project Sponsor shall seek a special event "no parking" permit from the Police Department whenever it anticipates loading or bus operations on California Street and direct trucks to park in that zone. No double-parking of trucks shall be permitted. The Project Sponsor may load and unload from the California Street curb only stage sets, performance equipment, and related materials associated with specific events. Pursuant to the regulations of the Department of Building Inspection, a sign shall be posted on the access ramp during loading and unloading operations that notifies disabled persons of the duration of the loading and provides specific information about alternative means of disabled access into the building, which alternative access shall be maintained at all times during loading and unloading operations on California Street.

26(a) Performers shall use the house system for primary sound and lights.

Amending Condition 28: Personnel conducting loading and unloading activities on California Street shall be instructed to minimize the volume of conversation and prohibit the

playing of amplified music outside the building during loading and unloading, particularly during nighttime hours.

28(a) There shall be no loading or unloading on California Street before 7:00 a.m.

28(b) Scheduled event loading on California Street shall be limited to 125 days per year.

Amending Condition No. 31: During the one and one-half hour period prior to the start of events, no more than two performer buses shall park on the south side of California Street, so that the remainder of the 185-foot long curbside area is available for attendee unloading and loading and vehicle queuing into the garage. The Project Sponsor shall direct any additional buses to park in other bus parking zone(s) the City chooses to designate near the corner of California and Taylor Streets, such as on Taylor Street adjacent to Huntington Park or on the north side of California Street. The Project Sponsor shall make best available efforts to evaluate and demonstrate to the Zoning Administrator the physical and operational feasibility of storing performer buses at nearby off-street parking facilities during events.

31(a) The Project Sponsor shall make commercially reasonable best efforts to secure space in the closest parking garage to park the maximum number of performer buses that can fit inside that garage and if space is secured from the garage owner, that number of buses shall be parked inside the garage.

Amending Condition No. 36. Following the conclusion of the last intermission of an event, a maximum of two publicly-accessible concession stands and one "VIP" concession stand (not accessible by the general public) may serve alcoholic beverages. One hour prior to the conclusion of an event, line markers shall be placed at the end of each of the lines. No patron approaching a line for a concession stand after the placement of the line marker will be

served an alcoholic beverage, with the intent that alcohol service will conclude 45 minutes prior to the end of an event.

36(a) There shall be no minimum purchase required and a maximum of two drinks served per order.

Amending Condition 39: The Planning Department shall report to the Planning Commission on the status of compliance with these conditions of approval within 6 months following the re-opening of the auditorium after construction is completed, and every 6 months thereafter for the first four years of post-construction operations, and once a year after the first 4 years upon the request of the District Supervisor or the Chief of Police. If the Zoning Administrator determines, or the Planning Commission requests, a public informational hearing may be held on the compliance report. A copy of the Planning Department's report to the Planning Commission shall be provided to the Project Sponsor, the San Francisco Police Department, and the Nob Hill Association (or successor organization).

Adding Condition 42: Project Sponsor shall be required to comply with all noise ordinance limits in Municipal Police Code 29, or any successor ordinance.

Adding Condition 43: If an event has presented a pattern of safety and security problems in previous concert seasons or at other venues, then the Project Sponsor shall consult with the Police Department to determine whether the Project Sponsor can provide adequate safety and through utilization of its security personnel, contracted private security and/or on-duty or off-duty Police officers. To the extent that the Chief of Police reasonably determines, based entirely on the ability to provide safety and security and not on the expressive content of the event, that the Project Sponsor cannot provide adequate safety and security for any proposed event or that the event's historic pattern establishes that safety and security issues cannot be adequately handled at this venue regardless of the Project Sponsor's security plan, the Chief of Police may order that the event shall not be held. This

provision does not supersede any subsequent regulations regarding place of entertainment permits.

Adding Condition 44: Project Sponsor shall comply with Administrative Code Section 10-B. and if off-duty officers are hired pursuant to subsections thereof, a minimum of two officers be hired for events with 1,250 or more presold tickets; if SFPD determines that more than two officers are required, the project sponsor shall provide the additional officers.

Adding Condition 45: Project Sponsor shall encourage the use of public transit through its on-line marketing sites, including links to transit providers.

City Hall
1 Dr. [illegible] Rm.
San Francisco, CA 94102-4689

File Number: 100453 **Date Passed:** May 04, 2010

Motion disapproving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street

May 04, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Alioto-Pier

May 04, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Alioto-Pier

File No. 100453

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 5/4/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100454 MOTION NO. M10-73

[Preparation of Findings Related to the Conditional Use Appeal for 1111 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2008.1072C on property located at 1111 California Street, for action by the Board by May 25, 2010.

IT IS HEREBY MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2008.1072C, on property located at 1111 California Street, for action by the Board by May 25, 2010.

Clerk of the Board
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Motion: M10-73

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File Number: 100454 Date Passed: May 04, 2010

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2008.1072C on property located at 1111 California Street, for action by the Board by May 25, 2010.

May 04, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Alioto-Pier

File No. 100454

I hereby certify that the foregoing Motion was APPROVED on 5/4/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100220 MOTION NO. M10-74

[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interests By Eminent Domain]

Motion that the Board of Supervisors hold a public hearing on May 18, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of: (1) a temporary interest in real property in Alameda County known as Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary interest in real property in Alameda County known as Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary interest and a permanent interest in portions of real property in Alameda County known as Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

WHEREAS, On April 13, 2010, the San Francisco Public Utilities Commission (SFPUC) adopted Resolution No. 10-0057 in which the SFPUC found that the acquisition by eminent domain of the interests in real property consisting of temporary or permanent easements in the following parcels of real property in Alameda County: (1) Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee, (2) Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin, and

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(3) Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees (collectively, the Subject Properties), is necessary for construction of the Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project (the Project), and that failure to acquire such easements in the Subject Properties (collectively, the Subject Easements) and construct the Project would substantially impair the ability of the SFPUC to meet the adopted Water Supply Improvement Program (WSIP) levels of service of seismic and delivery reliability; and,

WHEREAS, Under California Code of Civil Procedure §1245.235, the governing body of the public entity may adopt a resolution of necessity only after the governing body has given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll notice and a reasonable opportunity to appear and be heard on the matters referred to in California Code of Civil Procedure §1240.030; and,

WHEREAS, California Code of Civil Procedure §1245.235 requires that a public hearing be held by the Board of Supervisors sitting as a committee of the whole in order for the Board of Supervisors to make a finding that (1) there is a public interest and necessity for the City and County of San Francisco (the CCSF) to acquire the Subject Easements for construction of the Project, (2) the Project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury, (3) the Subject Easements to be acquired are necessary for the Project, and (4) CCSF has made the offer(s) required by California Government Code Section §7267.2 to the owner(s) of record of the property; now, therefore, be it

MOVED, That it is the intention of this Board of Supervisors to hold a public hearing of the full Board of Supervisors to consider adopting a resolution to acquire the Subject Easements by eminent domain; and be it

FURTHER MOVED, This public hearing is being set in such a manner that a minimum of fifteen (15) days notice shall be given to each person whose name and address appears on the last equalized county assessment roll for the Subject Properties; and, be it

FURTHER MOVED, Said public hearing is to be held in accordance with California Code of Civil Procedure §1245.235, and notice is hereby given that on the 18th day of May, 2010, at 3:00 p.m. the Board of Supervisors will hold such public hearing; and, be it

FURTHER MOVED, At the public hearing, each person whose name and address appears on the last equalized county assessment role for the Subject Properties and who has filed a written request to appear within fifteen (15) days after the notice was mailed to them by first class mail may appear and be heard at the public hearing on whether (1) the public interest and necessity require CCSF to acquire the Subject Easements, (2) the Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury, (3) the Subject Easements sought to be acquired are necessary for the Project, and (4) CCSF has made the offer(s) required by California Government Code §7267.2 to the owner(s) of record of the Subject Properties; and be it

FURTHER MOVED, That the Resolution to acquire the Subject Easements by eminent domain must be adopted by a two-thirds vote of all the members of the Board of Supervisors and, be it

FURTHER MOVED, That at the close of the public hearing, the Board of Supervisors will vote to decide whether or not to adopt the Resolution captioned "Resolution authorizing acquisition of the following interests in real property in Alameda County: (1) a temporary construction easement in a portion of Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee, (2) a temporary construction easement in a portion of Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin, and (3) a temporary construction easement and a permanent

subsurface soil nail easement in portions of Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1" on file with the Clerk of the Board of Supervisors in File No. [100220], which is hereby declared to be a part of this motion as if set forth fully herein.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100220 **Date Passed:** May 04, 2010

Motion that the Board of Supervisors hold a public hearing on May 18, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of: (1) a temporary interest in real property in Alameda County known as Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary interest in real property in Alameda County known as Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary interest and a permanent interest in portions of real property in Alameda County known as Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

May 04, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100220

I hereby certify that the foregoing Motion was APPROVED on 5/4/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100489 MOTION NO. M10-75

[Final Map 3191 – 1124 Leavenworth Street]

Motion approving Final Map 3191, a Six Unit Residential Condominium Project, located at 1124 Leavenworth Street being a subdivision of Lot 015 in Assessors Block No. 0247 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 3191", comprising 2 sheets, approved February 26, 2010, by Department of Public Works Order No. 178, 561 is hereby approved and said map is adopted as an Official Final Map 3191; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated May 2, 2005, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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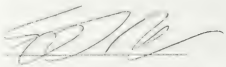

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

File Number: 100489 **Date Passed:** May 04, 2010

Motion approving Final Map 3191, a Six Unit Residential Condominium Project, located at 1124 Leavenworth Street being a subdivision of Lot No. 015 in Assessors Block No. 0247 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

May 04, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100489

I hereby certify that the foregoing Motion was APPROVED on 5/4/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100522 MOTION NO. M10-76

[Appointment, Board of Appeals]

Motion appointing Christine Hwang, term ending July 1, 2014, to the Board of Appeals.

WHEREAS, Pursuant to Charter Section 4.106, the Board of Supervisors President has submitted a communication notifying the Board of Supervisors of the nomination of Christine Hwang to the Board of Appeals, received by the Clerk of the Board on April 22, 2010; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the President's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the President's appointment of Christine Hwang to the Board of Appeals for the term ending July 1, 2014.

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City and County of San Francisco
Tails
Motion: M10-76

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100522 **Date Passed:** May 11, 2010

Motion appointing Christine Hwang, term ending July 1, 2014, to the Board of Appeals.

May 11, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100522

I hereby certify that the foregoing Motion was APPROVED on 5/11/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100550 MOTION NO. M10-77

[Committee of the Whole - Hearing on the Issuance of Revenue Bonds by the California Municipal Finance Authority]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 18, 2010 at 3:00 p.m., to hold a public hearing on the issuance of revenue bonds by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition of the State office building/s known as the Public Utilities Commission Building and/or the San Francisco Civic Center.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on May 18, 2010 at 3:30 PM to hear a resolution authorizing the submission by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition of the State office building/s known as the Public Utilities Commission Building and/or the San Francisco Civic Center and certain other matters Pertaining Thereto.

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City and County of San Francisco
Tails
Motion: M10-77

File Number: 100550 Date Passed: May 11, 2010

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 18, 2010, at 3:00 p.m., to hold a public hearing on the issuance of revenue bonds by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center.

May 11, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100550

I hereby certify that the foregoing Motion was APPROVED on 5/11/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100417 MOTION NO. M10-78

[Reversing the Planning Department Determination of Exemption Issued for 424 Francisco Street]

Motion reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from environmental review.

WHEREAS, On or about March 10, 2010,the Planning Department approved a project to install a garage in the existing multi-family residential building located at 424 Francisco Street (the "Project") and, as indicated by an exemption determination stamp on the building permit, determined that the Project was exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31 as a Class 1 categorical exemption, for a minor alteration of an existing facility (the "exemption determination"). By letters to the Clerk of the Board, Malcolm Yeung, on behalf of the Chinatown Community Development Center, and Vedica Puri, on behalf of the Telegraph Hill Dwellers, (collectively, "Appellants"), received by the Clerk's Office on or around March 30, 2010, appealed the exemption determination; and

WHEREAS, On May 11, 2010, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellants, and following the public hearing reversed the exemption determination; and

WHEREAS, In reviewing the appeal of the exemption determination, this Board reviewed and considered the exemption determination, the appeal letters, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors reversed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public

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hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 100415 and in the Planning Department files, which are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED. That this Board of Supervisors reverses the determination by the Planning Department that the Project is exempt from environmental review.

City and County of San Francisco
Tails
Motion: M10-78

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100417 **Date Passed:** May 11, 2010

Motion reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from environmental review.

May 11, 2010 Board of Supervisors - APPROVED

Ayes: 7 - Avalos, Campos, Chiu, Daly, Dufty, Mar and Mirkarimi
Noes: 3 - Alioto-Pier, Chu and Elsbernd
Absent: 1 - Maxwell

File No. 100417

I hereby certify that the foregoing Motion was APPROVED on 5/11/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100418 MOTION NO. M10-79

[Preparation of Findings to Reverse the Planning Department Determination of Exemption for the 424 Francisco Street Project]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 424 Francisco Street is exempt from environmental review.

WHEREAS, On or about March 10, 2010,the Planning Department approved a project to install a garage in the existing multi-family residential building located at 424 Francisco Street (the "Project") and, as indicated by an exemption determination stamp on the building permit, determined that the Project was exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31 as a Class 1 categorical exemption, for a minor alteration of an existing facility (the "exemption determination"). By letters to the Clerk of the Board, Malcolm Yeung, on behalf of the Chinatown Community Development Center, and Vedica Puri, on behalf of the Telegraph Hill Dwellers, (collectively, "Appellants"), received by the Clerk's Office on or around March 30, 2010, appealed the exemption determination; and

WHEREAS, On May 11, 2010, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellants, and following the public hearing reversed the exemption determination; and

WHEREAS, In reviewing the appeal of the exemption determination, this Board reviewed and considered the exemption determination, the appeal letters, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors reversed the exemption determination for the Project based on the

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written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 100415 and in the Planning Department files, which are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are incorporated in this motion as though set forth in its entirety; now, therefore, be it

MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the findings specifying the basis for its decision on the appeal of the exemption determination issued by the Planning Department for the Project.

City and County of San Francisco
Tails
Motion: M10-79

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100418 **Date Passed:** May 11, 2010

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 424 Francisco Street is exempt from environmental review.

May 11, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 7 - Avalos, Campos, Chiu, Daly, Dufty, Mar and Mirkarimi
Noes: 3 - Alioto-Pier, Chu and Elsbernd
Absent: 1 - Maxwell

May 11, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 7 - Avalos, Campos, Chiu, Daly, Dufty, Mar and Mirkarimi
Noes: 3 - Alioto-Pier, Chu and Elsbernd
Absent: 1 - Maxwell

File No. 100418

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 5/11/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100422 MOTION NO. M10-80

[Appointments -- Medical Cannabis Task Force]

Motion appointing Stephanie Tucker, David Goldman, Shona Gochenhaur, Mary Schroeder, Raymond Gamley, Martin Olive, Kevin Reed, Sarah Shrader, Patrick Goggin, Albert Blais, Joseph Erich Pearson, Michelle Aldrich and Maureen Burns, terms to be determined, to the Medical Cannabis Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Medical Cannabis Task Force, pursuant to the provisions of the San Francisco Administrative Code Sections 5.2-1 through 5.2-6, for the terms specified:

Stephanie Tucker, seat 1, must be a community organizer representative with a background in organizing neighbors, businesses or organizations around social justice and quality of life issues. This representative should also have a background working on medical cannabis related issues, for a two-year term to be determined.

David Goldman, seat 2, must be a representative of a local patient advocacy organization with a background in working to protect the interests of medical cannabis patients, for a one-year term to be determined.

Shona Gochenhaur, seat 3, must be a representative of a local patient advocacy organization with a background in working to protect the interests of medical cannabis patients, for a two-year term to be determined.

Mary Schroeder, seat 4, must be a representative of a hospice or a residential care facility with a background as an employee or volunteer in direct services working with medical cannabis patients or as a nurse or physician with a background in working with or treating of medical cannabis patients, for a one-year term to be determined.

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Raymond Gamely, seat 5, must be a person with a background in the management of a medical cannabis dispensary, for a two-year term to be determined.

Martin Olive, seat 6, must be a person with a background in the management of a medical cannabis dispensary, for a one-year term to be determined.

Kevin Reed, seat 7, must be a person with a background in the management of a medical cannabis dispensary whose primary mode of operation is delivery, for a two-year term to be determined.

Sarah Shrader, seat 8, must be a representative of a drug policy organization working specifically on medical cannabis issues, for a one-year term to be determined.

Patrick Goggin, seat 9, must be a licensed California attorney with a background working with San Francisco medical cannabis dispensaries and experience with the City's medical cannabis dispensary permitting and regulatory process, for a two-year term to be determined.

Albert Blais, seat 10, must be a person with a background in providing medical cannabis to low-income patients, for a one-year term to be determined.

Joseph Erich Pearson, seat 11, must be a person with a background in providing medical cannabis to permitted medical cannabis dispensaries located in the City and County, for a two-year term to be determined.

Michelle Aldrich, seat 12, must be a person with at least fifteen years of experience working on medical cannabis issues in the City and County, for a one-year term to be determined.

Maureen Burns, seat 13, must be a representative of a recognized neighborhood organization that has a medical cannabis dispensary within its boundaries, for a two-year term to be determined.

1 Dr. Carlton B. Goodlett Place

File Number: 100422 **Date Passed:** May 18, 2010

Motion appointing Stephanie Tucker, David Goldman, Shona Gochenhaur, Mary Schroeder, Raymond Gamley, Martin Olive, Kevin Reed, Sarah Shrader, Patrick Goggin, Albert Blais, Joseph Erich Pearson, Michelle Aldrich and Maureen Burns, terms to be determined, to the Medical Cannabis Task Force.

May 18, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100422

I hereby certify that the foregoing Motion was APPROVED on 5/18/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100523 MOTION NO. M10-81

[Appointment, Reentry Council]

Motion appointing Ronald Sanders, term ending July 17, 2011, to the Reentry Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as member of the Reentry Council pursuant to the provisions in the San Francisco Administrative Code Sections 5.1-1 through 5.1-6, for the term specified:

Ronald Sanders, seat 1, must be a former inmate in the San Francisco County Jail or a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prison facility, for the unexpired portion of a two-year term ending July 17, 2011.

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City and County of San Francisco
Tails
Motion: M10-81

File Number: 100523 **Date Passed:** May 18, 2010

Motion appointing Ronald Sanders, term ending July 17, 2011, to the Reentry Council.

May 18, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100523

I hereby certify that the foregoing Motion was APPROVED on 5/18/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100524 MOTION NO. M10-82

[Appointments, Sunshine Ordinance Task Force]

Motion appointing David Snyder, Richard Knee, Sue Cauthen, Allyson Washburn, Bruce Wolfe, Hanley Chan and Hope Johnson, terms ending April 27, 2012, to the Sunshine Ordinance Task Force, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Sunshine Ordinance Task Force, pursuant to the provisions of the San Francisco Administrative Code Section 67.30, for the terms specified:

David Snyder (residency requirement waived), seat 1, succeeding Erica Craven, term expired, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for a two-year term ending April 27, 2012.

Richard Knee, seat 2, succeeding himself, term expired, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a Journalist, for a two-year term ending April 27, 2012.

Sue Cauthen, seat 3, succeeding herself, term expired, must be a member of the press or electronic media with an interest in citizen access, for a two-year term ending April 27 2012.

Allyson Washburn, seat 5, succeeding herself, term expired, must be appointed from names submitted by the League of Women Voters, for a two-year term ending April 27, 2012.

Bruce Wolfe, seat 8, succeeding himself, term expired, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27 2012.

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Hanley Chan (residency requirement waived), seat 9, succeeding himself, term expired, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2012.

Hope Johnson, seat 10, succeeding Nicholas Goldman, term expired, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2012.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Sunshine Ordinance Task Force has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicants David Snyder and Hanley Chan, appointees, who are not residents of San Francisco, are persons with experience that uniquely qualify them to serve on the Sunshine Ordinance Task Force.
3. The Sunshine Ordinance Task Force has attempted to fill the positions, for which David Snyder and Hanley Chan were nominated, with individuals who are City residents and who have the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that David Snyder and Hanley Chan are qualified to serve on the Sunshine Ordinance Task Force.
4. After exercising due diligence, the Board of Supervisors concludes that there are no other possible representatives, who are residents of San Francisco and who have the specific experience, skills, or qualifications possessed by these applicants, and who are willing to serve on Sunshine Ordinance Task Force at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for David Snyder and Hanley Chan, as allowed in cases where no qualified City resident willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

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Motion: M10-82

File Number: 100524 **Date Passed:** May 18, 2010

Motion appointing David Snyder, Richard Knee, Sue Cauthen, Allyson Washburn, Bruce Wolfe, Hanley Chan and Hope Johnson, terms ending April 27, 2012, to the Sunshine Ordinance Task Force, residency requirement waived.

May 18, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100524

I hereby certify that the foregoing Motion was APPROVED on 5/18/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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FILE NO. 100587 JUN - 8 2010 MOTION NO. M10-83

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[Findings to Reverse Certification of the 555 Washington Street Project Final Environmental Impact Report.]

Motion adopting findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project.

WHEREAS, the Project Sponsor proposed demolition of two buildings at 501-505 Washington Street and 545 Sansome Street, and construction of a 38-story, approximately 390 foot-tall building topped with a mechanical penthouse and architectural screening reaching in height to approximately 430 feet, which building would contain approximately 332,000 gross square feet of floor area, including 248 residential units, 4,640 square feet of ground-floor retail space, and four levels of subsurface parking with 215 parking spaces plus 3 car share spaces, and which project would also include vacation of Mark Twain Alley and conveyance of the surface of Redwood Park to the City and County of San Francisco as a public park (the "Project"); and

WHEREAS, the Project Sponsor applied for environmental review for the Project and for approvals including an increase in the cumulative shadow limits for Maritime Plaza and Sue Bierman Park, a shadow impact determination under Section 295 of the Planning Code, conveyance of the surface of Redwood Park to the City and County of San Francisco, General Plan consistency determination, amendments to the height and bulk maps of the Planning Code and General Plan, various exceptions under Section 309 of the Planning Code, an open space variance; and vacation of Mark Twain Alley (City Planning File 2002.0133EMRKXV); and

WHEREAS, The Planning Department ("Department") determined that an Environmental Impact Report ("EIR") was required and provided public notice of that

determination by publication in a newspaper of general circulation on November 27, 2007; and

WHEREAS, On March 25, 2009, the Department published the Draft Environmental Impact Report ("DEIR"); and

WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR on May 7, 2009, at which time public comment was received on the DEIR and written comments were received through May 18, 2009; and

WHEREAS, The Department prepared responses to comments received at the public hearing and in writing during the 54-day public review period for the DEIR, prepared revisions to the text of the DEIR and published a Draft Comments and Responses document on January 7, 2010; and

WHEREAS, A Final Environmental Impact Report (FEIR) was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Draft Comments and Responses document, all as required by law; and

WHEREAS, On March 18, 2010, the Commission reviewed and considered the FEIR and, by Motion No. 18046, found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18046, the Commission found the FEIR reflected the independent judgment and analysis of the Department and Commission, was adequate, accurate and objective, and that the Comments and Responses document contained no significant revisions to the DEIR and certified the FEIR, finding that the Project described in the FEIR will have a project-specific unavoidable significant effect on the environment on

historical resources in that it would demolish a potentially significant historic building at 44 Sansome Street, and

WHEREAS, On April 2, 2010, Sue Hester, on behalf of San Franciscan's for Reasonable Growth, and Vedica Puri, on behalf of Telegraph Hill Dwellers, filed appeals of the FEIR with the Clerk of the Board of Supervisors; and,

WHEREAS, The Board of Supervisors held a public hearing and conducted its own independent review of the FEIR; and

WHEREAS, The Board has considered anew all facts, evidence and issues related to the adequacy, accuracy and objectiveness of the FEIR, including, but not limited to the sufficiency of the FEIR as an informational document and the correctness of its conclusions and the Planning Commission's certification of the EIR; and

WHEREAS, The Board has reviewed and considered the FEIR, the appeal letter(s), the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, as well as new facts, evidence and issues that were not introduced before the Planning Commission or the Environmental Review Officer, and heard testimony and received public comment regarding the adequacy, accuracy and objectiveness of the FEIR; and

WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors reversed the Commission's decision to certify the FEIR for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Commission, and the public. Which files are available for public review by appointment at the Department offices at 1650 Mission Street, and are part of the record before the Board of Supervisors; now therefore be it,

MOVED, That this Board of Supervisors finds that the FEIR is not adequate, accurate and complete, and that its conclusions are incorrect, and that the findings contained in the Planning Commission's Motion No. 18046 certifying the FEIR are incorrect, and reverses the action of the Planning Commission; and be it

FURTHER MOVED, That this Board of Supervisors adopts the following specific findings specifying the basis for its decision reversing the certification of the FEIR by the Commission for the Project, and remands the FEIR to the Planning Commission for further actions consistent with these findings and direction by this Board of Supervisors: The FEIR lacks objectivity and is so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded;

- The FEIR's conclusion that the Project would not have a significant environmental impact on land use is incorrect and should be revised to conclude that the Project would have significant environmental impacts as reflected in its inconsistencies with City plans, policies & zoning adopted for the purpose of avoiding environmental impacts, specifically including those regulating height limits, protecting sunlight on parks and open spaces, regulating wind speeds, and protecting historic resources; in particular the increase in height from 200 ft to 400 ft and increasing the development envelope by including both Mark Twain Alley and Redwood Park in the Floor Area Ratio calculations;
- The FEIR's conclusions that the Project would not have a significant environmental impact on each of the following is incorrect and should be revised to conclude that the Project:
    - Would have a significant impact on aesthetics, as the project would cause material degradation in the quality of the City's significant visual resources including the Transamerica Pyramid and the historic districts in the area,

including but not limited to the Jackson Square Historic District, as well as visual impacts caused by the Project's inconsistency with other heights in the area.

- Would have significant cumulative impacts on transportation and parking because of the excessive number of off-street parking spaces, a second garage entrance, off street loading exceptions, and impacts from queuing that have not been adequately mitigated;
- Would have significant cumulative shadow impacts on parks and open spaces including Sue Bierman (Ferry) Park, Maritime Plaza, Redwood Park, Sidney Walton Plaza, as well as on Jackson Square sidewalks;
- Would have significant wind impacts, including hazard wind speeds which were not accurately and adequately evaluated; and

- Shadow impacts of the Project on Redwood Park were inadequately and incompletely analyzed in the FEIR and this Board of Supervisors directs that Redwood Park be fully and completely analyzed as a Proposition K park, using the quantitative Proposition K-type analysis in the assessment of the Project's shadows on Redwood Park;
- The FEIR failed to analyze the potentially significant cumulative environmental impacts of Planning Commission's Motions 18048 and 18049 and Recreation & Park Commission Resolution adopted on March 18, 2010, which amended and reduced protections in the City's adopted rules and criteria for determinations of significant shadows in City parks pursuant to Proposition K adopted by Planning Commission Resolution No. 11595 on February 7, 1989;
- The FEIR failed to analyze or respond to comments on negative impacts to nearby LEED certified buildings caused by the Project's shadows;

- The Project description should be finite and stable to enable the public and decision makers to understand fully the Project being proposed and to provide an opportunity to completely and adequately evaluate the impacts of the Project;
- The FEIR does not contain an adequate statement of Project Objectives or underlying purposes of the Project and should be clarified and broadened to ensure that a reasonable range of project alternatives and an adequate alternatives analysis may be undertaken;
- The FEIR does not contain a reasonable range of project alternatives; in particular a Code-Complying Alternative should be analyzed that would comply with the existing height limit, cast no new shadows on Proposition K parks, reduce wind speeds and eliminate all wind hazard exceedances, and eliminate Mark Twain Alley and Redwood Park from the FAR calculations;
- Housing impacts of the Project should be more fully evaluated, including an analysis of the Project's consistency with the Housing Element;
- Cumulative analysis of wind, shadow and aesthetic impacts in the area should be undertaken and/or further developed in light of other developments in the area.
- The environmental impacts of any revised project proposed by project sponsor should be analyzed fully and completely, consistent with each of the findings set forth above, and recirculated as a draft EIR for public review and comment; and be it

FURTHER MOVED, That this motion supersedes the previous motion directing the Clerk of the Board to prepare findings.

File Number: 100587 **Date Passed:** May 18, 2010

Motion adopting findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project

May 18, 2010 Board of Supervisors - APPROVED

Ayes: 7 - Avalos, Campos, Chiu, Daly, Mar, Maxwell and Mirkarimi

Noes: 4 - Alioto-Pier, Chu, Dufty and Elsbernd

File No. 100587

I hereby certify that the foregoing Motion was APPROVED on 5/18/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

[Adopting Findings Related to the Conditional Use Appeal on Property Located at 1111 California Street]

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18042, approving Conditional Use Application 2008.1072C on property located at 1111 California Street.

WHEREAS, the Planning Commission issued a decision by Motion No. 18042 dated March 4, 2010, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street to change the existing non-conforming entertainment use of the "Nob Hill Masonic Center" to "Other Entertainment," pursuant to Planning Code Sections 182(B)(1) and 723.48, and to add permanent food and beverage service for patrons of entertainment and assembly events, pursuant to Planning Code Section 238(D), on a property within the RM-4 (Residential Mixed, High-Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at 1111 California Street, Lot No. 020 in Assessor's Block No. 0253; and

WHEREAS, said determination was timely appealed to the Board of Supervisors on April 5, 2010, by William Terrell, Aldo Caccamo, Chris Freeman, Enrique Landa, Elizabeth Pomada, and Donna Muse);

WHEREAS, on May 4, 2010, the Board conducted a duly noticed public hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on May 4, the Board disapproved the decision of the Planning Commission (Planning Commission Motion No. 18042 dated March 4, 2010) and approved the issuance of requested Conditional Use Application No. 2008.1072C, subject to the conditions imposed by the Planning Commission in its Motion No.

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18042, as amended by the Board on May 4, 2010, and subject to additional conditions imposed by the Board of Supervisors. The amended and additional conditions imposed by the Board are as follows:

Amending Condition No. 9: No more than 3,300 patrons shall be permitted for events in the auditorium on the main floor level and mezzanine level of the Masonic Center.

Amending Condition No. 10: There shall be an annual maximum of 85 live entertainment events held at the Masonic Center that start at 7:00 p.m. or later, of which no more than 60 live entertainment events may utilize general admission attendance without assigned seating for patrons in the lower (floor) level of the auditorium. There shall be an annual maximum of 20 events not involving live entertainment held at the Masonic Center that start at 7:00 p.m. or later.

Amending Condition No. 13: All events shall conclude by 11:00 p.m. on weeknights (non-holiday Sunday-Thursday evenings) and 11:30 p.m. on weekends (Friday, Saturday, and pre-holiday evenings). Up to three events per year may extend until 1:00 a.m. on weekends (Friday, Saturday, and pre-holiday evenings), subject to prior consultation with and approval by the San Francisco Police Department, the San Francisco Planning Department, and the Entertainment Commission a minimum of 30 days prior to the date of such event.

Amending Condition No. 14: All patron queuing for events with general admission attendance shall occur within the interior of Masonic Center property, i.e. the main lobby area and Exhibition Hall.

Amending Condition No. 17: There shall be a fixed parking fee for events with more than 1,250 ticketed attendees.

Amending Condition No. 20: The Project Sponsor shall minimize vehicular queuing on California Street by use of the following strategies events with more than 1,250 ticketed patrons:

- Increase traffic staffing inside the California Street garage entrance to increase the rate of vehicular entry to the garage.
- Position security personnel (including San Francisco Police Department services when warranted) outside the garage to assist with controlling and directing traffic, including directing patrons to other nearby garages if and when the Masonic Center garage is full.
- Convert the center lane of the existing garage entrance ramp to a second inbound lane to increase queuing room within the garage.
- Event staff shall ensure u-turns are prevented and that the cable car lane is free flowing.

Amending Condition 24: The Project Sponsor shall use the Pine Street loading dock for all loading and unloading to the commercial kitchen and for normal building operation supplies.

24(a) The Pine Street loading area shall be upgraded to enclose end of ramp and improve access to passenger elevators.

Amending Condition 26: The Project Sponsor shall seek a special event "no parking" permit from the Police Department whenever it anticipates loading or bus operations on California Street and direct trucks to park in that zone. No double-parking of trucks shall be permitted. The Project Sponsor may load and unload from the California Street curb only stage sets, performance equipment, and related materials associated with specific events. Pursuant to the regulations of the Department of Building Inspection, a sign shall be posted on the access ramp during loading and unloading operations that notifies disabled persons of the duration of the loading and provides specific information about alternative means of disabled access into the building, which alternative access shall be maintained at all times during loading and unloading operations on California Street.

26(a) Performers shall use the house system for primary sound and lights

Amending Condition 28: Personnel conducting loading and unloading activities on California Street shall be instructed to minimize the volume of conversation and prohibit the playing of amplified music outside the building during loading and unloading, particularly during nighttime hours.

28(a) There shall be no loading or unloading on California Street before 7:00 a.m.

28(b) Scheduled event loading on California Street shall be limited to 125 days per year.

Amending Condition No. 31: During the one and one-half hour period prior to the start of events, no more than two performer buses shall park on the south side of California Street, so that the remainder of the 185-foot long curbside area is available for attendee unloading and loading and vehicle queuing into the garage. The Project Sponsor shall direct any additional buses to park in other bus parking zone(s) the City chooses to designate near the corner of California and Taylor Streets, such as on Taylor Street adjacent to Huntington Park or on the north side of California Street. The Project Sponsor shall make best available efforts to evaluate and demonstrate to the Zoning Administrator the physical and operational feasibility of storing performer buses at nearby off-street parking facilities during events.

31(a) The Project Sponsor shall make commercially reasonable best efforts to secure space in the closest parking garage to park the maximum number of performer buses that can fit inside that garage and if space is secured from the garage owner, that number of buses shall be parked inside the garage.

Amending Condition No. 36. Following the conclusion of the last intermission of an event, a maximum of two publicly-accessible concession stands and one "VIP" concession stand (not accessible by the general public) may serve alcoholic beverages. One hour prior to the conclusion of an event, line markers shall be placed at the end of each of the lines. No

patron approaching a line for a concession stand after the placement of the line marker will be served an alcoholic beverage, with the intent that alcohol service will conclude 45 minutes prior to the end of an event.

36(a) There shall be no minimum purchase required and a maximum of two drinks served per order.

Amending Condition 39: The Planning Department shall report to the Planning Commission on the status of compliance with these conditions of approval within 6 months following the re-opening of the auditorium after construction is completed, and every 6 months thereafter for the first four years of post-construction operations, and once a year after the first 4 years upon the request of the District Supervisor or the Chief of Police. If the Zoning Administrator determines, or the Planning Commission requests, a public informational hearing may be held on the compliance report. A copy of the Planning Department's report to the Planning Commission shall be provided to the Project Sponsor, the San Francisco Police Department, and the Nob Hill Association (or successor organization).

Adding Condition 42: Project Sponsor shall be required to comply with all noise ordinance limits in Municipal Police Code 29, or any successor ordinance.

Adding Condition 43: If an event has presented a pattern of safety and security problems in previous concert seasons or at other venues, then the Project Sponsor shall consult with the Police Department to determine whether the Project Sponsor can provide adequate safety and through utilization of its security personnel, contracted private security and/or on-duty or off-duty Police officers. To the extent that the Chief of Police reasonably determines, based entirely on the ability to provide safety and security and not on the expressive content of the event, that the Project Sponsor cannot provide adequate safety and security for any proposed event or that the event's historic pattern establishes that safety and security issues cannot be adequately handled at this venue regardless of the Project

City and County of San Francisco
Tails
Motion: M10-84

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100588 Date Passed: May 18, 2010

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18042, approving Conditional Use Application 2008.1072C on property located at 1111 California Street.

May 18, 2010 Board of Supervisors - AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

May 18, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 2 - Alioto-Pier and Dufty

File No. 100588

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 5/18/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100384 MOTION NO M10-85

[Disapproving Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]

Motion disapproving decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street.

MOVED, That the decision of the Planning Commission by its Motion No. 18037 dated February 25, 2010, approving Conditional Use Application No. 2009.0531C, subject to certain conditions, under Planning Code Sections 303, 711.83 and 790.80, to install a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within a NC-2 (Neighborhood Commercial, Small-Scale) Zoning District and a 40-X Height and Bulk District, on property located at:

725 Taraval Street, Lot Nos. 052-058 in Assessor's Block No. 2408,

be and the same is disapproved.

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File Number: 100384 **Date Passed:** May 18, 2010

Motion reversing the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street.

April 20, 2010 Board of Supervisors - CONTINUED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Mirkarimi
Excused: 1 - Maxwell

May 18, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100384

I hereby certify that the foregoing Motion was APPROVED on 5/18/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100385 MOTION NO. M10-86

[Preparation of Findings Related to the Conditional Use Appeal for 725 Taraval Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2009.0531C on property located at 725 Taraval Street, for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2009.0531C, on property located at 725 Taraval Street, for action by the Board at its next meeting.

Clerk of the Board
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File Number: 100385 Date Passed: May 18, 2010

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2009.0531C on property located at 725 Taraval Street, for action by the Board at its next meeting.

April 20, 2010 Board of Supervisors - CONTINUED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Mirkarimi
Excused: 1 - Maxwell

May 18, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100385

I hereby certify that the foregoing Motion was APPROVED on 5/18/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100595 MOTION NO M10-87

[Waiver Permitting City Employees to Assist the Department of Elections with the June 8, 2010, Consolidated Primary Election]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 8, 2010, Consolidated Primary Election.

WHEREAS, San Francisco Charter section 13.104.5 prohibits City employees and officers (other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission) from performing "any function relating to the conduct of an election;" and,

WHEREAS, Charter section 13.104.5 authorizes the Board of Supervisors, upon the request of the Elections Commission, to waive this prohibition by motion; and,

WHEREAS, On April 21, 2010, the Elections Commission requested that the Board of Supervisors waive this prohibition to permit City employees to assist the Department of Elections with the June 8, 2010 election; now, therefore, be it

MOVED, the Board of Supervisors waives the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections before, during and after the June 8, 2010 election.

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File Number: 100595 **Date Passed:** May 18, 2010

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 8, 2010, Consolidated Primary Election.

May 18, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100595

I hereby certify that the foregoing Motion was APPROVED on 5/18/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100638 As Amended in Board 5/25/10 MOTION NO M10-88

[Adopting findings reversing the exemption determination for the 424 Francisco Street project.]

Motion adopting findings reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from further environmental review.

WHEREAS, On or about March 10, 2010, the Planning Department approved a permit to install a garage in the existing multi-family residential building located at 424 Francisco Street (the "Project") and, as indicated by an exemption determination stamp on the building permit, determined that the Project was exempt from further environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31 as a Class 1 categorical exemption, for a minor alteration of an existing facility (the "exemption determination").

WHEREAS, By letters to the Clerk of the Board, Malcolm Yeung, on behalf of the Chinatown Community Development Center, and Vedica Puri, on behalf of the Telegraph Hill Dwellers, (collectively, "Appellants"), received by the Clerk's Office on or around March 30, 2010, appealed the exemption determination; and

WHEREAS, On May 11, 2010, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellants; and

WHEREAS, This Board reviewed and considered the exemption determination, the appeal letters, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal; and

WHEREAS, The exemption determination files and all correspondence and other documents have been made available for review by this Board and the public. These files are

Clerk of the Board
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available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are part of the record before this Board by reference in this motion; and

WHEREAS, CEQA provides that a proposed project may not be considered categorically exempt from further environmental review if substantial evidence in the record supports a fair argument that the project may have a significant effect on the environment. Additionally, CEQA Guidelines Section 15300.2 provides that a project shall not be exempt from environmental review if the project may cause a substantial adverse change in the significance of an historic resource or where the project may contribute to a cumulative impact or impacts; and

WHEREAS, This Board considered these issues, heard testimony, and finds substantial evidence in the record to support a fair argument that the proposed Project may contribute to potential cumulative impacts to transportation, neighborhood character and land use, and historic resources, and may cause a significant project-level impact to an historic resource (specifically, the project site); and

WHEREAS, This Board finds that the proposed Project may contribute to a potential cumulative impact to transportation because the addition of garage parking spaces to a residence (specifically, a residence, such as this one, of four or more units), when considered together with past, present, and probable future projects in the Broadway Neighborhood Commercial District, the North Beach Neighborhood Commercial District, the Chinatown Mixed-Use Districts, and the Telegraph Hill-North Beach Residential Special Use District, may result in increased traffic congestion; and

WHEREAS, The proposed Project site has been determined to be a potential historic resource and was treated as such for the purposes of CEQA by the Planning Department; and

WHEREAS, This Board heard expert testimony supporting a fair argument that the proposed Project may have a significant impact on an historic resource (the project site) due

to the addition of the garage entrance, the raising of the building, and other alterations to the street-facing facade of the building, and that a dispute among experts exists as to whether the proposed project may have a significant impact to the historic resource on the project site; and

WHEREAS, This Board finds that the Planning Department did not provide public notice of the categorical exemption determination for this project as required by Section 31.08(f) of the Administrative Code. The Planning Department had interpreted Section 31.08(f) to require notice of exemption determinations for certain types of projects only when a "written determination" of exemption had been made; and

WHEREAS, Following the conclusion of the public hearing on May 11, 2010, the Board of Supervisors reversed the exemption determination for the Project based on the written record before it, including the Planning Department files and the written documents and information on file with the Clerk of the Board of Supervisors in File No. 100416, as well as of the testimony at the public hearing in support of and opposed to the appeal; now therefore be it

MOVED, That this Board of Supervisors grants the appeal of the exemption determination and finds that Appellant has both presented and directed attention to substantial evidence in the record supporting a fair argument that the proposed project may contribute considerably to potential cumulative impacts to transportation, neighborhood character and land use, and historical resources and that a dispute among experts exists as to whether the project may cause a significant project-level impact to an historical resource (the project site); and

FURTHER MOVED, That this Board finds that the Planning Department should have provided notice of the exemption determination as required by Section 31.08(f) of the Administrative Code; and

Clerk of the Board
BOARD OF SUPERVISORS

FURTHER MOVED, That this Board directs that the categorical exemption is void and that any further consideration of project approval must be preceded by preparation of an environmental impact report (EIR) analyzing the proposed project's potentially significant environmental impacts, as required by CEQA. Specifically, such EIR shall analyze: (1) whether a cumulative impact to transportation due to the addition of parking to residential buildings in the Broadway Neighborhood Commercial District, the North Beach Neighborhood Commercial District, the Chinatown Mixed-Use Districts, and the Telegraph Hill-North Beach Residential Special Use District exists and, if so, whether the proposed project would contribute in a cumulatively considerable manner to such an impact; (2) whether cumulative impacts to neighborhood character, land use, and historic resources exist and, if so, whether the proposed project would contribute in a cumulatively considerable manner to such impacts; and (3) whether the proposed project will result in a project-level impact to an historical resource due to the addition of the garage entrance and other alterations to the street-facing facade of the subject building.

FURTHER MOVED, That this Board directs that for those types of projects listed in Section 31.08(f) of the Administrative Code (specifically, for projects involving historical resources as defined by CEQA, receiving Class 31 or Class 32 exemptions, or demolishing existing structures), mailed notice is required to be given to any individuals or organizations that have previously requested such notice and shall be provided whenever an exemption determination is made, including, without limitation, where as here, where an exemption determination is made by a stamp on the proposed project's building permit.

City and County of San Francisco

Tails

Motion: M10-88

File Number: 100638 **Date Passed:** May 25, 2010

Motion adopting findings reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from further environmental review.

May 19, 2010 Board of Supervisors - ASSIGNED

May 25, 2010 Board of Supervisors - AMENDED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell and Mirkarimi

Noes: 2 - Alioto-Pier and Elsbernd

May 25, 2010 Board of Supervisors - NOT AMENDED

Ayes: 4 - Alioto-Pier, Chu, Dufty and Elsbernd

Noes: 7 - Avalos, Campos, Chiu, Daly, Mar, Maxwell and Mirkarimi

May 25, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 7 - Avalos, Campos, Chiu, Daly, Mar, Maxwell and Mirkarimi

Noes: 4 - Alioto-Pier, Chu, Dufty and Elsbernd

File No. 100638

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 5/25/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100603 MOTION NO. M10-89

[Appointment - Police Commission]

Motion confirming the Rules Committee's nomination of, and appointing, Angela Chan, term ending April 30, 2014, to the San Francisco Police Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby confirms the Rules Committee's nomination of, and appoints, Angela Chan, term ending April 30, 2014, to the San Francisco Police Commission, consistent with Section 4.108 of the City Charter.

Angela Chan, seat 2, succeeding Vincent Pan, term expired, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors for the unexpired portion of a four-year term ending April 30, 2014.

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Motion: M10-89

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 100603 **Date Passed:** May 25, 2010

Motion confirming the Rules Committee's nomination of, and appointing, Angela Chan, term ending April 30, 2014, to the San Francisco Police Commission.

May 25, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100603

I hereby certify that the foregoing Motion was APPROVED on 5/25/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100563 MOTION NO. M10-90

[Appointments – Mental Health Board]

Motion appointing Lara Arguelles, Ellis Joseph and Mary Ann Jones, terms ending January 31, 2013, to the Mental Health Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoints the following designated persons to serve as a members of the Mental Health Board, pursuant to the provisions of the San Francisco Administrative Code, Section 15.3 and the California Welfare and Institutions Code, Section 5604, for the terms specified:

Lara Arguelles, seat 13, succeeding herself, term expired, must be a family member, for the unexpired portion of a three-year term ending January 31, 2013.

Ellis Joseph, seat 14, succeeding Thomas Purvis, term expired, must be a family member, for the unexpired portion of a three-year term ending January 31, 2013.

Mary Ann Jones, seat 15, succeeding herself, term expired, must be a health professional, for the unexpired portion of a three-year term ending January 31, 2013.

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File Number: 100563 **Date Passed:** June 08, 2010

Motion appointing Lara Arguelles, Ellis Joseph and Mary Ann Jones, terms ending January 31, 2013, to the Mental Health Board.

June 08, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100563

I hereby certify that the foregoing Motion was APPROVED on 6/8/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100565 MOTION NO. M10-91

[Appointments, Sunshine Ordinance Task Force]

Motion appointing James Knoebber and Nicholas Goldman, terms ending April 27, 2012, to the Sunshine Ordinance Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Sunshine Ordinance Task Force, pursuant to the provisions of the San Francisco Administrative Code, Section 67.30, for the terms specified:

James Knoebber, seat 6, succeeding himself, term expired, must be experienced in Consumer Advocacy, for the unexpired portion of a two-year term ending April 27, 2012

Nicholas Goldman, seat 7, succeeding Doyle Johnson, term expired, must be experienced in Consumer Advocacy, for the unexpired portion of a two-year term ending April 27, 2012.

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City and County of San Francisco
Tails
Motion: M10-91

File Number: 100565 Date Passed: June 08, 2010

Motion appointing James Knoebber and Nicholas Goldman, terms ending April 27, 2012, to the Sunshine Ordinance Task Force.

June 08, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100565

I hereby certify that the foregoing Motion was APPROVED on 6/8/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100566 MOTION NO. M10-92

[Appointments – Children and Families First Commission]

Motion appointing Veronica Chavez and Betty Robinson-Harris, terms ending April 29, 2014, to the Children and Families First Commission, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Children and Families First Commission, pursuant to the provisions of the San Francisco Administrative Code, Sections 10.117-122 and 86.1 through 86.5, for the terms specified:

Veronica Chavez, seat 5, succeeding Kara Dukakis, term expired, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for the unexpired portion of a four-year term ending April 29, 2014.

Betty Robinson-Harris (residency requirement waived), seat 8, succeeding herself, term expired, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a

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local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for the unexpired portion of a four-year term ending April 29, 2014.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Children and Families First Commission has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Betty Robinson-Harris, appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Children and Families First Commission.
3. The Children and Families First Commission has attempted to fill the position, for which Betty Robinson-Harris was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Betty Robinson-Harris is qualified to serve on the Children and Families First Commission.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on Children and Families First Commission at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Betty Robinson-Harris, as allowed in cases where no qualified City resident, willing to

serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100566 Date Passed: June 08, 2010

Motion appointing Veronica Chavez and Betty Robinson-Harris, terms ending April 29, 2014, to the Children and Families First Commission, residency requirement waived

June 08, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100566

I hereby certify that the foregoing Motion was APPROVED on 6/8/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100663 MOTION NO M10-93

[Adopting Findings Disapproving Conditional Use for Property Located at 725 Taraval Street]

Motion adopting findings disapproving the Planning Commission's approval of Conditional Use Authorization No. 2009.0531C which approved the installation of a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within an NC-2 Zoning District and a 40-X Height and Bulk District, located at 725 Taraval Street (Lot Nos. 052-058 in Assessor's Block 2408).

The appellant, Robert Carson, filed a timely appeal on March 25, 2010 protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2009.0531C, approved by Planning Commission Motion No 18037 dated February 25, 2010), pursuant to Planning Code Sections 303, 711.83, and 790.80, to authorize the installation of a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within an NC-2 (Neighborhood Commercial, Small-Scale) Zoning District and a 40-X Height and Bulk District, located at 725 Taraval Street, (Lot Nos. 052-058 in Assessor's Block 2408).

The San Francisco Planning Commission adopted the Wireless Telecommunications Services ("WTS") Facilities Siting Guidelines in August of 1996 ("Guidelines") to assist the Planning Department in its consideration of applications for conditional use authorization to install WTS facilities. These Guidelines are not binding on the Board of Supervisors. The Guidelines establish location preferences for installation of WTS facilities throughout the City

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The location preferences set forth seven categories, with location preference one being the most preferred sites, and location preference seven being the most disfavored sites. The property located at 725 Taraval Street falls within a location preference five, a mixed use building in a high density district.

On May 18, 2010, the Board of Supervisors conducted a duly noticed public hearing on the appeal from the Planning Commission's approval of the conditional use authorization referred to in the first paragraph of this motion. Following the conclusion of the public hearing on May 18, 2010, the Board voted to disapprove the decision of the Planning Commission (Planning Commission Motion No. 18037 dated February 25, 2010) and denied the issuance of the requested Conditional Use Application No. 2009.0531C by a vote of 11-0.

In considering the appeal of the approval of the requested conditional use authorization, the Board reviewed and considered the written record before the Board and all of the comments made in support of and in opposition to the appeal.

NOW THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 18037 dated February 25, 2010, except as indicated below.

FURTHER MOVED, That the Board of Supervisors further took notice that the project was categorically exempt from environmental review pursuant to exception Class 3 of Title 14 of the California Administrative Code. The Board finds that there have been no substantial changes in project circumstances and no new information of substantial importance that would change the determination of categorical exemption issued by the Planning Commission.

FURTHER MOVED, That the Board of Supervisors finds that:

1. The written and oral information provide by the applicant to the Board was not persuasive or objectively verified, and the applicant was unable to demonstrate credibly that the proposed WTS facility is necessary for the neighborhood or the community, contrary to the requirements of Section 303(c)(1) of the Planning Code.

2. The public testimony at the public hearing and the public documentation submitted in support of the appellant's objections to the decision of the Planning Commission supported the appellant's position that there is no necessity for the proposed WTS facility to be approved and installed for residential or business purposes in the neighborhood or the community because the proposed WTS facility is not necessary to meet the applicant's present service demands within the geographic service area defined by the applicant.

3. The written and oral information provided by the applicant at the May 18, 2010 public hearing alleged that the proposed WTS facility would: (a) extend and enhance coverage and capacity; (b) support new data services that are available only for applicant's customers that use "smart phones;" and (c) support first responders in case of an emergency. No members of the public appeared in support of the applicant's proposal. The Board also takes notice that, according to the Planning Department, no members of the public appeared in support of applicant's proposal when the matter was considered by the Planning Commission.

4. Notwithstanding this information submitted by the applicant, the written and oral information provide by the appellant and his supporters at the May 18, 2010 public hearing showed that the applicant presently had acceptable service in the geographic area of the proposed WTS facility from the applicant's existing WTS facilities in the vicinity. In particular, the appellant: (a) submitted a study conducted in the neighborhood showing good coverage; (b) introduced advertising materials from applicant's website showing the applicant has good

coverage for voice and data service in the area of the proposed project; and (c) showed that applicant has eight existing wireless facilities within a one-mile radius.

5. There is nothing in the record to suggest that the Board's decision to disapprove the decision of the Planning Commission in this case will unreasonably discriminate against the applicant in favor of providers of functionally equivalent services.

6. There is nothing in the record to suggest that the Board's decision to disapprove the decision of the Planning Commission in this case will limit or prohibit access to wireless telecommunications services in the geographic area of the proposed site.

7. There is nothing in the record to suggest that the Board's decision to disapprove the decision of the Planning Commission in this case will prevent the filling of a significant gap in wireless telecommunications services provided to remote users of those services in the geographic area of the proposed site, whether those remote users obtain service from the applicant or from other wireless service providers serving the City.

8. In the written and oral information provided at the May 18, 2010 public hearing, members of the public expressed concern that radio frequency emissions from the proposed WTS facility would have adverse health effects on persons residing in the vicinity. In making these statements, members of the public exercised their constitutional right to petition the government. However, there is evidence in the record that the proposed WTS facility would comply with Federal Communications Commission safety standards for radio frequency radiation exposure. Thus, in disapproving the decision of the Planning Commission and denying the issuance of the requested conditional use authorization, the Board has not relied on the public testimony or public documentation concerning this issue and the Board has not based its determination on such a ground.

FURTHER MOVED, That based upon the findings made in the preceding paragraphs, the Board of Supervisors finds that Finding 14A made by the Planning Commission, that the

project is necessary for the neighborhood or the community because it will provide necessary facilities for improved communications and emergency transmission, was incorrect and without substantiation. The Board finds that the applicant has sufficient coverage in the vicinity of the proposed WTS facility and that applicant's customers are able rely on those facilities to successfully complete emergency-911 calls.

FURTHER MOVED, That based upon the findings made in the preceding paragraphs, the Board of Supervisors finds that Finding 15 made by the Planning is incorrect and without substantiation. The Board finds that the installation of the proposed WTS facility is not in conformity with the following priority planning policies cited by the Planning Commission:

(i) Objective 2; Policy 3: Maintain a favorable social and cultural climate by enhancing the City's diverse economic base;

(ii) Objective 4, Policy 2: Promote and attract economic activities with potential benefits to the City by enhancing the business climate; and

(iii) Objective 3, Policy 6: Establish a system of emergency access routes by providing communications services.

The Board finds that the installation of the proposed WTS facility is not necessary to increase or improve wireless coverage of the applicant in the vicinity and thus will not further the objectives and policies referred to by the Planning Commission.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission by its Motion No. 18037 dated February 25, 2010, and denied the issuance of Conditional Use Authorization No. 2009.0531C.

Clerk of the Board
BOARD OF SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100663 Date Passed: June 08, 2010

Motion sustaining findings disapproving the Planning Commission's approval of Conditional Use Authorization No. 2009.0531C which approved the installation of a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within an NC-2 Zoning District and a 40-X Height and Bulk District, located at 725 Taraval Street (Lot Nos. 052-058 in Assessor's Block No. 2408).

June 08, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100663

I hereby certify that the foregoing Motion was APPROVED on 6/8/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100525 MOTION NO. M10-94

[Reappointment, Police Commission]

Motion confirming the Mayor's nomination of, and reappointing, Joseph E. Marshall to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014.

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby confirms the Mayor's nomination of, and reappoints, Joseph E. Marshall to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014, consistent with Section 4.109 of the City Charter.

Joseph E. Marshall, succeeding himself, term expired, seat 6, must be nominated by the Mayor or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a four-year term ending April 30, 2014.

Mayor Gavin Newsom
BOARD OF SUPERVISORS

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File Number: 100525 **Date Passed:** June 08, 2010

Motion confirming the Mayor's nomination of, and reappointing, Joseph E. Marshall to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014.

June 08, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100525

I hereby certify that the foregoing Motion was APPROVED on 6/8/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100682 MOTION NO M10-95

[Committee of the Whole - Elimination and/or Reduction of Health Care Services (Beilenson Hearing) - June 15, 2010, at 3:00 p.m.]

Motion scheduling the Board to sit as a Committee of the Whole to consider the elimination and/or reduction of health care services (Beilenson Act), to be held on June 15, 2010, at 3:00 p.m.

MOVED, That the Board of Supervisors convene as a Committee of the Whole to consider the elimination and/or reduction of health care services on June 15, 2010, at 3:00 p.m.

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Supervisor Avalos
BOARD OF SUPERVISORS

City Hall
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San Francisco, CA 94102-4689

File Number: 100682 **Date Passed:** June 08, 2010

Motion scheduling the Board to sit as a Committee of the Whole to consider the elimination and/or reduction of health care services (Beilenson Act), to be held on June 15, 2010, at 3:00 p.m.

June 08, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100682

I hereby certify that the foregoing Motion was APPROVED on 6/8/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100698 MOTION NO. M10-96

[Final Map 4025 – 301 King Street]

Motion approving Final Map 4025, a four lot airspace subdivision with one lot being approved for a maximum of 313 residential condominium units, being a merger and resubdivision of Lots 7 and 10 of Assessors Block No. 8705, located at 301 King Street, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4025, A FOUR LOT AIRSPACE SUBDIVISION WITH ONE LOT BEING APPROVED FOR A MAXIMUM OF 313 RESIDENTIAL CONDOMINIUM UNITS BEING A MERGER AND RESUBDIVISION OF ASSESSOR'S BLOCK 8705, LOT 7 AS SHOWN ON THAT CERTAIN MAP ENTITLED "FINAL MAP, PLANNED DEVELOPMENT, MISSION BAY (N3-N3A)" RECORDED MARCH 15, 2001, IN BOOK Z OF MAPS AT PAGES 175-178, INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, comprising 9 sheets, approved May 13, 2010 by Department of Public Works Order No. 178,662, is hereby approved and said map is adopted as an Official Final Map 4025 of Mission Bay for Assessor's Block 8704, Lots 7 and 10; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated June 14, 2006, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Sa

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Francisco Redevelopment Agency, by its letter dated May 2, 2006, that the proposed subdivision is consistent with the Mission Bay North Redevelopment Plan and Plan Documents (as such term is defined therein); and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerks statement as set forth herein; and be it

FURTHER MOVED. That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the Mission Bay Subdivision Code and amendments thereto.

RECOMMENDED:

Edward D. Reiskin
Director of Public Works

RECOMMENDED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco

Tails

Motion: M10-96

File Number: 100698 **Date Passed:** June 08, 2010

Motion approving Final Map 4025, a four lot airspace subdivision with one lot being approved for a maximum of 313 residential condominium units, being a merger and re-subdivision of Lot Nos. 7 and [illegible] of Assessors Block No. 8705, located at 301 King Street, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

June 08, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100698

I hereby certify that the foregoing Motion was APPROVED on 6/8/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100458 MOTION NO. M10-97

[Appointments – Immigrant Rights Commission]

Motion appointing Haregu Gaime, term ending June 6, 2012 and Melba Maldonado, term ending June 6, 2011, to the Immigrant Rights Commission, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Immigrant Rights Commission, pursuant to the provisions of Ordinance No. 211-97, for the terms specified:

Haregu Gaime, seat 2, succeeding Gilberto Alexander, resigned, must have a demonstrated knowledge of and interest in the health, human service, educational or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2012.

Melba Maldonado (residency requirement waived), seat 4, succeeding Christopher Punongbayan, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2011.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Immigrant Rights Commission has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Melba Maldonado, appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Immigrant Rights Commission.
3. The Immigrant Rights Commission has attempted to fill the position, for which Melba Maldonado was nominated, with an individual who is a City resident and [illegible]

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BOARD OF SUPERVISORS

has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Melba Maldonado is qualified to serve on the Immigrant Rights Commission.

4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on Immigrant Rights Commission at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Melba Maldonado, as allowed in cases where no qualified City residents, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

File Number: 100458 **Date Passed:** June 15, 2010

Motion appointing Haregu Gaime, term ending June 6, 2012 and Melba Maldonado, term ending June 6, 2011, to the Immigrant Rights Commission, residency requirement waived.

June 15, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100458

I hereby certify that the foregoing Motion was APPROVED on 6/15/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100564 MOTION NO. M10-98

[Appointments – Commission of Animal Control and Welfare]

Motion appointing Geneva Page, Susanna Russo and John Aldridge, terms ending April 30, 2012, to the Commission of Animal Control and Welfare.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Commission on Animal Control and Welfare, pursuant to the provisions of the San Francisco Health Code Section 41.1, for the terms specified:

Geneva Page, seat 1, succeeding Laurie Kennedy-Routhier, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2012.

Susanna Russo, seat 2, succeeding Angela Padilla, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2012.

John Aldridge, seat 7, succeeding David Gordon, term expired, must be licensed veterinarian, for the unexpired portion of a two-year term ending April 30, 2012.

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File Number: 100564 **Date Passed:** June 15, 2010

Motion appointing Geneva Page, Susanna Russo and John Aldridge, terms ending April 30, 2012, to the Commission of Animal Control and Welfare.

June 15, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100564

I hereby certify that the foregoing Motion was APPROVED on 6/15/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100695 MOTION NO. M10-99

[Appointments – Food Security Task Force]

Motion appointing Meredith Terrell, Daniel Schuman, Jean Cooper, Anne Quaintance, Leo O'Farrell, Linda Lau, Maria LeClair, Paula Jones and Maximilian Rocha, to the Food Security Task Force, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Food Security Task Force, pursuant to the provisions of the San Francisco Health Code, Sections 470.1 and 470.2, for the terms specified:

Meredith Terrell, seat 2, succeeding Ellen Stroud, resigned, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for a term indefinite. The community member shall be nominated by the Task Force and may include but are limited to representatives from organizations serving food in the following program types: home-delivered meals; congregate meals for seniors; food bank; free dining room; multi-service agency serving families and youth; shelter meals; and faith-based organization. No organization shall have more than one representative on the Task Force.

Daniel Schuman, seat 3, succeeding Daisy Anarchy, resigned, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for a term indefinite. The community member shall be nominated by the Task Force and may include but are limited to representatives from organizations serving food in the following program types: home-delivered meals; congregate meals for seniors; food bank; free dining room; multi-service

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agency serving families and youth; shelter meals; and faith-based organization. No organization shall have more than one representative on the Task Force.

Jean Cooper (residency requirement waived), seat 5, new appointment, must be a representative of a community-based organization that provide nutritional support and increase the food security of San Francisco residents, for a term indefinite. The community member shall be nominated by the Task Force and may include but are limited to representatives from organizations serving food in the following program types: home-delivered meals; congregate meals for seniors; food bank; free dining room; multi-service agency serving families and youth; shelter meals; and faith-based organization. No organization shall have more than one representative on the Task Force.

Anne Quaintance, seat 6, new appointment, must be a representative of a community-based organization that provide nutritional support and increase the food security of San Francisco residents, for a term indefinite. The community member shall be nominated by the Task Force and may include but are limited to representatives from organizations serving food in the following program types: home-delivered meals; congregate meals for seniors; food bank; free dining room; multi-service agency serving families and youth; shelter meals; and faith-based organization. No organization shall have more than one representative on the Task Force.

Leo O'Farrell (residency requirement waived), seat 8, new appointment, must be from the Department of Human Services of the Human Services Agency, for a term indefinite.

Linda Lau, seat 9, new appointment, must be from the Department of Aging and Adult Services of the Human Services Agency, for a term indefinite.

Maria LeClair (residency requirement waived), seat 10, new appointment, must be from the Department of Public Health, Nutrition Services, for a term indefinite.

Paula Jones (residency requirement waived), seat 11, new appointment, must be from the Department of Public Health, Office of Food Systems, for a term indefinite.

Maximilian Rocha (residency requirement waived), seat 12, new appointment, must be from the Department of Children, Youth and their Families, for a term indefinite.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Food Security Task Force has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicants Jean Cooper, Leo O'Farrell, Maria LeClair, Paula Jones and Maximilian Rocha, appointees, who are not residents of San Francisco, are persons with experience that uniquely qualify them to serve on the Food Security Task Force;
3. The Food Security Task Force has attempted to fill the positions, for which Jean Cooper, Leo O'Farrell, Maria LeClair, Paula Jones and Maximilian Rocha were nominated, with individuals who are City residents and who have the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Jean Cooper, Leo O'Farrell, Maria LeClair, Paula Jones and Maximilian Rocha are qualified to serve on the Food Security Task Force.
4. After exercising due diligence, the Board of Supervisors concludes that there are no other possible representatives, who are residents of San Francisco and who have the specific experience, skills, or qualifications possessed by these applicants, and who are willing to serve on Food Security Task Force at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Jean Cooper, Leo O'Farrell, Maria LeClair, Paula Jones and Maximilian Rocha, as a waiver in cases where no qualified City residents, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and

advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco

Tails

Motion: M10-99

File Number: 100695 **Date Passed:** June 15, 2010

Motion appointing Meredith Terrell, Daniel Schuman, Jean Cooper, Anne Quaintance, Leo O'Farrell, Linda Lau, Maria LeClair, Paula Jones and Maximilian Rocha, for indefinite terms, to the Food Security Task Force, residency requirement waived.

June 15, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100695

I hereby certify that the foregoing Motion was APPROVED on 6/15/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100797 MOTION NO. M10-100

[Appointment – Market and Octavia Community Advisory Committee]

Motion appointing Kenneth Wingard, term ending December 16, 2010, to the Market and Octavia Community Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Market and Octavia Community Advisory Committee, pursuant to the provisions of Ordinance No. 72-08 and Resolution No. 474-08, for the term specified:

Kenneth Wingard, seat 4, succeeding Brad Villers, deceased, must be a local merchant and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2010.

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File Number: 100797 **Date Passed:** June 22, 2010

Motion Appointing Kenneth Wingard, term ending December 16, 2010, to the Market and Octavia Community Advisory Committee.

June 22, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100797

I hereby certify that the foregoing Motion was APPROVED on 6/22/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100770 MOTION NO. M10-101

[Committee of the Whole - Hearing on the Report of Assessment Costs for Sidewalk and Curb Repairs]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund

MOVED, That the Board of Supervisors convene as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hear a resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

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File Number: 100770 Date Passed: June 22, 2010

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

June 22, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100770

I hereby certify that the foregoing Motion was APPROVED on 6/22/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100773 MOTION NO. M10-102

[Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on June 29, 2010, at 3:00 p.m. to hear a resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code the costs thereof having been paid for out of a blight abatement fund

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City and County of San Francisco
Tails
Motion: M10-102

File Number: 100773 **Date Passed:** June 22, 2010

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund

June 22, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100773

I hereby certify that the foregoing Motion was APPROVED on 6/22/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100799 MOTION NO. M10-103

[Final Map 5736: 1038 – 1042 Pine Street]

Motion approving Final Map 5736, a 5 Unit Residential Condominium Project, located at 1038 – 1042 Pine Street being a subdivision of Lot 009 in Assessors Block No. 0253 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5736", comprising 3 sheets, approved June 1, 2010, by Department of Public Works Order No. 178, 694 is hereby approved and said map is adopted as an Official Final Map 5736; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated March 30, 2010, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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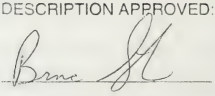
DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS

RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco

Tails

Motion: M10-103

File Number: 100799 **Date Passed:** June 22, 2010

Motion approving Final Map 5736, a 5 Unit Residential Condominium Project, located at 1078 - 1082 Pine Street being a subdivision of Lot 009 in Assessors Block No. 0253 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

June 22, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

Excused: 1 - Alioto-Pier

File No. 100799

I hereby certify that the foregoing Motion was APPROVED on 6/22/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100800 MOTION NO. M10-104

[Appointment, Planning Commission]

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Kathrin Moore to the Planning Commission term ending July 1, 2014.

WHEREAS, Pursuant to Charter Section 4.105, the Board President has submitted a communication notifying the Board of Supervisors of the nomination of Kathrin Moore to the Planning Commission, received by the Clerk of the Board on June 14, 2010; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the President's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the President's nomination of Kathrin Moore to the Planning Commission term ending July 1, 2014.

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Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

City and County of San Francisco

Tails

Motion: M10-104

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100800 **Date Passed:** June 29, 2010

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Kathrin Moore to the Planning Commission term ending July 1, 2014.

June 29, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100800

I hereby certify that the foregoing Motion was APPROVED on 6/29/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100801 MOTION NO. M10-105

[Appointment, Planning Commission]

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Hisashi Sugaya to the Planning Commission term ending July 1, 2014.

WHEREAS, Pursuant to Charter Section 4.105, the Board President has submitted a communication notifying the Board of Supervisors of the nomination of Hisashi Sugaya to the Planning Commission, received by the Clerk of the Board on June 14, 2010; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the President's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the President's nomination of Hisashi Sugaya to the Planning Commission term ending July 1, 2014.

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City and County of San Francisco
Tails
Motion: M10-105

File Number: 100801 **Date Passed:** June 29, 2010

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Hisashi Sugaya to the Planning Commission term ending July 1, 2014.

June 29, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100801

I hereby certify that the foregoing Motion was APPROVED on 6/29/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100872 MOTION NO. M10-106

[Committee of the Whole - Hearing on Proposed Amendments to the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on July 13, 2010 at 3:00 p.m., to hold a public hearing on the proposed amendments to the Redevelopment Plans for the Bayview Hunters Point and Hunters Point Shipyard Project Areas.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on July 13, 2010 at 3:00pm to hear two ordinances approving and adopting amendments to the Redevelopment Plans for the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Project Areas (Board Files 100658 and 100659). The proposed ordinances also approve and authorize an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendments; adopt findings pursuant to the California Environmental Quality Act; adopt findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and adopt other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

Supervisor Maxwell
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Motion: M10-106

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100872 Date Passed: June 29, 2010

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on July 13, 2010, at 3:00 p.m., to hold a public hearing on the proposed amendments to the Redevelopment Plans for the Bayview Hunters Point and Hunters Point Shipyard Project Areas.

June 29, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100872

I hereby certify that the foregoing Motion was APPROVED on 6/29/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100787 MOTION NO. M10-107

[Affirming the Certification of the 900 Folsom Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 900 Folsom Street Project.

WHEREAS, the Project Sponsor proposes to construct a 9-story, 85-foot tall building with ground and basement level parking, with up to 269 dwelling units, approximately 4,146 square feet of ground floor commercial space along 5th Street, and up to 221 off-street parking spaces (including stackers) (the "Project"). The eight units on the ground floor fronting Folsom Street would be designed as "Flexible-Occupancy" units that may contain certain commercial uses on the ground floor, as limited in the conditions of approval, while the remainder of the units would be residential. Open space would be provided on private balconies, an inner courtyard, rooftop decks, and a new publicly accessible mid-block pedestrian pathway connecting Folsom and Clementina Streets that will be more than 30 feet wide and would serve as a park; and

WHEREAS, the Project Sponsor applied for environmental review for the Project and for approvals under Planning Code Section 329 for a Large Project and for exceptions to rear yard requirements, to sidewalk obstruction requirements, to ground floor parking setback, to required off-street parking spaces, for vertical non-habitable architectural elements, and to horizontal mass reduction requirements (City Planning File 2007.0689EKX); and

WHEREAS, The Planning Department ("Department") determined that an Environmental Impact Report ("EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on June 11, 2008; and

WHEREAS, On July 29, 2009, the Department published the Draft Environmental Impact Report ("DEIR"); and

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WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR on September 10, 2009, at which time public comment was received on the DEIR and written comments were received through September 15, 2009; and

WHEREAS, The Department prepared responses to comments received at the public hearing and in writing during the 45-day public review period for the DEIR, prepared revisions to the text of the DEIR and published a Draft Comments and Responses document on May 6, 2010; and

WHEREAS, A Final Environmental Impact Report (FEIR) was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Draft Comments and Responses document, all as required by law; and

WHEREAS, On May 20, 2010, the Commission reviewed and considered the FEIR and, by Motion No. 18086, found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18086, the Commission found the FEIR reflected the independent judgment and analysis of the Department and Commission, was adequate, accurate and objective, and that the Comments and Responses document contained no significant revisions to the DEIR and certified the FEIR, finding that the Project described in the FEIR will not have any project-specific or cumulative significant and unavoidable effects on the environment; and

WHEREAS, By Motion No. 18086, the Commission approved the Project, adopting CEQA findings related to the Project approvals and adopting a Mitigation Monitoring and Reporting Program for the Project;

WHEREAS, On June 9, 2010, Angelica Cabande, on behalf of South of Market Community Action Network (SOMCAN), and Roy Recio, on behalf of Manilatown Heritage Foundation, filed appeals of the FEIR with the Clerk of the Board of Supervisors; and

WHEREAS, The Board of Supervisors held a public hearing on the Project to review the decision by the Planning Commission to certify the FEIR; and

WHEREAS, The Board has reviewed and considered the FEIR, the appeal letter(s), the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Commission, and the public, which files are available for public review by appointment at the Department offices at 1650 Mission Street, and are part of the record before the Board of Supervisors; now therefore be it

MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances and no new information of substantial importance that would change the conclusions set forth in the FEIR; and be it

FURTHER MOVED, That after carefully considering the appeal of the FEIR, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors, this Board hereby affirms the decision of the Planning Commission in its Motion No. 18086 to certify the FEIR and finds the FEIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA, the State CEQA Guidelines, and Administrative Code Chapter 31

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco
Tails
Motion: M10-107

File Number: 100787 **Date Passed:** July 13, 2010

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 900 Folsom Street Project.

June 29, 2010 Board of Supervisors - CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

July 13, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100787

I hereby certify that the foregoing Motion was APPROVED on 7/13/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100791 MOTION NO. M10-108

[Affirming the Certification of the 260 5th Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 260 5th Street Project.

WHEREAS, the Project Sponsor proposes to demolish an existing light industrial building on the site and construct a 9-story, 85-foot tall building with a basement level parking garage, creating up to 179 dwelling units, approximately 5,281 square feet of ground floor commercial space along 5th Street, and up to 102 off-street parking spaces (including stackers). Open space is provided on private balconies and two rooftop decks; and

WHEREAS, the Project Sponsor applied for environmental review for the Project and for approvals under Planning Code Section 329 for a Large Project and for exceptions, including, to rear yard requirements, to obstructions permitted over a sidewalk, to dwelling unit exposure requirements, to provide off-street parking spaces pursuant, to vertical non-habitable architectural elements requirements, and to horizontal mass reduction requirements (City Planning File 2007.0690EKX); and

WHEREAS, The Planning Department ("Department") determined that an Environmental Impact Report ("EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on June 11, 2008; and

WHEREAS, On July 29, 2009, the Department published the Draft Environmental Impact Report ("DEIR"); and

WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR on September 10, 2009, at which time public comment was received on the DEIR and written comments were received through September 15, 2009; and

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WHEREAS, The Department prepared responses to comments received at the public hearing and in writing during the 45-day public review period for the DEIR, prepared revisions to the text of the DEIR and published a Draft Comments and Responses document on May 6, 2010; and

WHEREAS, A Final Environmental Impact Report (FEIR) was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Draft Comments and Responses document, all as required by law; and

WHEREAS, On May 20, 2010, the Commission reviewed and considered the FEIR and, by Motion No. 18087, found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18087, the Commission found the FEIR reflected the independent judgment and analysis of the Department and Commission, was adequate, accurate and objective, and that the Comments and Responses document contained no significant revisions to the DEIR and certified the FEIR, finding that the Project described in the FEIR will have a project-specific significant and unavoidable effect on the environment through the loss of opportunity for Production, Distribution, and Repair use on the Project site and will have a cumulative significant and unavoidable effect on the environment through demolition of a contributory building to a California Register-eligible historic district; and

WHEREAS, By Motion No. 18087, the Commission approved the Project, adopting CEQA findings related to the Project approvals, including a statement of overriding consideration, and adopting a Mitigation Monitoring and Reporting Program for the Project;

WHEREAS, On June 9, 2010, Angelica Cabande, on behalf of South of Market Community Action Network (SOMCAN), and Roy Recio, on behalf of Manilatown Heritage Foundation, filed appeals of the FEIR with the Clerk of the Board of Supervisors; and

WHEREAS, The Board of Supervisors held a public hearing on the Project to review the decision by the Planning Commission to certify the FEIR; and

WHEREAS, The Board has reviewed and considered the FEIR, the appeal letter(s), the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Commission, and the public. These files are available for public review by appointment at the Department offices at 1650 Mission Street, and are part of the record before the Board of Supervisors; now therefore be it

MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances and no new information of substantial importance that would change the conclusions set forth in the FEIR; and be it

FURTHER MOVED, That after carefully considering the appeal of the FEIR, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors, this Board hereby affirms the decision of the Planning Commission in its Motion No. 18087 to certify the FEIR and finds the FEIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA, the State CEQA Guidelines, and Administrative Code Chapter 31

City and County of San Francisco

Tails

Motion: M10-108

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100791 **Date Passed:** July 13, 2010

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 260 - 5th Street Project

June 29, 2010 Board of Supervisors - CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

July 13, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100791

I hereby certify that the foregoing Motion was APPROVED on 7/13/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100890 MOTION NO. M10-109

[San Francisco County Exhibit in the 2010 State Fair]

Motion appointing the City Administrator as the official representative of the City and County of San Francisco for the purpose of entering a county exhibit in the 2010 California State Fair and authorizing a county exhibit on San Francisco's behalf.

WHEREAS, The City and County of San Francisco, as home to the first California State Fair in 1854, has a long history with the California State Fair; and,

WHEREAS, Each year, the California State Fair includes a Counties Exhibit Competition, which is open to entries from any of California's 58 counties that show off their county's attractions, with the best display being awarded the People's Choice Award; and,

WHEREAS, A County Exhibit in the State Fair may encourage additional tourism and visitors; and,

WHEREAS, The City and County of San Francisco has not entered a display in the Counties Exhibit for several years; and,

WHEREAS, The Office of Assemblywoman Fiona Ma, the Convention and Visitors Bureau, the San Francisco Chamber of Commerce, and several interested individuals have proposed creating a San Francisco exhibit for entry in the Counties Exhibit at the State Fair this year; and,

WHEREAS, The Municipal Transportation Authority has agreed to make a cable car available for inclusion in the San Francisco display; and,

WHEREAS, There will be no cost to the City and County for this display; and,

WHEREAS, In order the enter the exhibit, the Board of Supervisors must appoint an official representative of the County, authorize entry in the Counties Exhibit Competition, and direct the Clerk of the Board to sign the official entry form, which is on file with the Clerk of the

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Board of Supervisors in File No , and which is hereby declared to be a part of this motion as if set forth fully herein; and,

WHEREAS, The City Administrator is prepared to serve as the official representative of the City and County of San Francisco in connection with the 2010 California State Fair; now, therefore, be it

MOVED, That the City Administrator is appointed as the official representative of the City and County of San Francisco in connection with the 2010 California State Fair and is authorized to enter a display in the State Fair's Counties Exhibit Competition on behalf of the City and County of San Francisco and to take all steps necessary to effectuate the purpose of this motion, provided that there is no direct, additional cost to the City; and, be it

FURTHER MOVED, That the Clerk of the Board is hereby authorized and directed to sign the Counties Exhibit Entry Form; and, be it

FURTHER MOVED, That should the City and County of San Francisco win a monetary award for its entry in the 2010 State Fair, that such money be used by the City Administrator for an entry in the 2011 State Fair, subject to future appropriation by the Board.

City and County of San Francisco
Tails
Motion: M10-109

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100890 **Date Passed:** July 13, 2010

Motion appointing the City Administrator as the official representative of the City and County of San Francisco for the purpose of entering a county exhibit in the 2010 California State Fair and authorizing a county exhibit on San Francisco's behalf.

July 13, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Absent: 1 - Alioto-Pier

File No. 100890

I hereby certify that the foregoing Motion was APPROVED on 7/13/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100862 MOTION NO. M10-110

[Affirming Certification of Candlestick Point-Hunters Point Shipyard Phase II Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Candlestick Point-Hunters Point Shipyard Phase II Project.

WHEREAS, The San Francisco Redevelopment Agency ("Agency") together with CP Development Company LP (the "Project Sponsors") are proposing to assemble and redevelop approximately 702 acres of property in the southeast portion of the City and County of San Francisco with (a) 10,500 residential units, approximately 32 percent of which (3,345) will be offered at below market rates, (b) approximately 327 to 336 acres of new and improved public parks and open space, (c) 885,000 square feet of regional and neighborhood-serving retail space, (d) 255,000 square feet of new and renovated studio space for Shipyard artists including an arts education center within a new "Arts District" supporting the vibrant artist community, (e) 2,650,000 square feet of commercial, light industrial, research and development and office space, including space for the United Nations Global Compact Center, (f) 100,000 square feet of community uses, (g) new public and community facilities on the Shipyard and Candlestick Point, (h) improved land and supporting infrastructure for a new football stadium for the San Francisco 49ers, including necessary parking areas and transportation improvements, with alternative uses that either shift some residential uses from Candlestick Point to the Shipyard and expand by up to 500,000 square feet commercial uses on some of the areas of the Shipyard currently reserved for stadium uses or expand research and development uses by 2,500,000 square feet on the Shipyard if the 49ers do not avail themselves of the opportunity to build a new stadium on the Shipyard, (i) a 10,000 seat arena on Candlestick Point, (j) a hotel, (k) a 300 slip Marina, and (l) a bicycle and pedestrian bridge

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over Yosemite Slough that can be used for game day automobile travel in the event the stadium is constructed (the "Project"); and

WHEREAS, The private Project Sponsor applied for environmental review on August 27, 2007 (City Planning File No. 2007.0946E); and

WHEREAS, The Planning Department for the City and County of San Francisco (the "Department") and the Agency, as co-lead agencies determined that an Environmental Impact Report ("EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on September 1, 2007; and

WHEREAS, On September 17, 2007 and September 25, 2007, the Agency and Department held public scoping meetings in order to receive public input regarding the proposed scope of the EIR analysis; and

WHEREAS, On November 10, 11, and 12, 2009, the Department and Agency published notices of the availability of the Draft Environmental Impact Report ("DEIR") for the Project and filed a Notice of Completion of the DEIR with the State Clearinghouse on November 12, 2009; and

WHEREAS, On December 15, 2009, and January 5, 2010, the Agency Commission and on December 17, 2009, the Planning Commission held duly noticed public hearings on the DEIR, at which time opportunity for public comment was received on the DEIR, and written comments were received through January 12, 2010; and

WHEREAS, The Department and Agency prepared responses to comments received at the public hearings on the DEIR and submitted in writing to the Department or the Agency, prepared revisions to the text of the DEIR and published a Draft Summary of Comments and Responses on May 13, 2010; and

WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was prepared by the Department and Agency, consisting of the DEIR, any consultations and

comments received during the review process, any additional information that became available and the Draft Summary of Comments and Responses, all as required by law; and

WHEREAS, On June 3, 2010, the Agency Commission and the Planning Commission at a joint hearing reviewed and considered the FEIR and, by Resolution No. 58-2010 and Motion No. 18096, the Agency Commission and Planning Commission, respectively, found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Resolution No. 58-2010 and Motion No. 18096, the Agency Commission and Planning Commission, respectively, found the FEIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Agency Commission and Planning Commission and that the Summary of Comments and Responses contained no significant revisions to the DEIR; the Agency Commission and Planning Commission adopted findings relating to significant impacts associated with the Project and certified the completion of the FEIR in compliance with CEQA and the State CEQA Guidelines; and

WHEREAS, On June 3, 2010, the Planning Commission and Agency Commission took various actions to approve the Project; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated June 21, 2010, the Sierra Club, San Francisco Bay Chapter; the California Native Plant Society, Yerba Buena Chapter; the Golden Gate Audubon Society and San Francisco Tomorrow ("Appellant Sierra Club"), filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around June 21, 2010; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated June 21, 2010, People Organized to Win Employment Rights ("Appellant POWER"), filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around June 21, 2010; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated June 22, 2010, James Birkeland, on behalf of the California State Parks Foundation ("Appellant CSPF") filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around June 22, 2010; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated June 23, 2010, Stephan C. Volker, on behalf of CAlifornians for Renewable Energy ("Appellant CARE") filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around June 23, 2010; and

WHEREAS, On July 13, 2010, this Board held a duly noticed public hearing to consider the appeal of the FEIR certification filed by Appellant Sierra Club, Appellant POWER, Appellant CSPF and Appellant CARE (collectively, "Appellants"); and

WHEREAS, This Board has reviewed and considered the FEIR, the appeal letters, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are part of the record before this Board by reference in this motion; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. 18096 to certify the FEIR and finds the FEIR to be complete,

adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

City and County of San Francisco
Tails
Motion: M10-110

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100862 Date Passed: July 13, 2010

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Candlestick Point - Hunters Point Shipyard Phase II Project.

July 13, 2010 Board of Supervisors - APPROVED

Ayes: 8 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Maxwell and Mirkarimi
Noes: 3 - Avalos, Daly and Mar

File No. 100862

I hereby certify that the foregoing Motion was APPROVED on 7/13/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100835 MOTION NO. M10-111

[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 266-286 - 4th Street]

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of the fee simple interest in real property commonly known as 266-286 4th Street, San Francisco, California. Assessor's Parcel No. Block 3733, Lot 093, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

WHEREAS, On April 20, 2010, the SFMTA's Board of Directors adopted Resolution No. 10-049, in which the SFMTA found that the acquisition by eminent domain of the fee simple interest in real property commonly known as 266-286 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093 (the "Subject Property"), is necessary for construction of the Central Subway/Third Street Light Rail Extension and other improvements (the "Project"); and

WHEREAS, In adopting Resolution No. 10-049, the SFMTA found that (a) the Project will assist SFMTA in meeting the objectives of Goal No. 1 of the SFMTA Strategic Plan (to provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-alternative modes through the Transit First policy), of Goal No. 2 (to improve transit reliability), of Goal No. 3 (to improve economic vitality through improved regional transportation), and of Goal No. 4 (to ensure the efficient and effective use of resources);

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(b) the Subject Property is needed to construct and operate the Project; (c) SFMTA has limited any potential private injury; and (d) the acquisition and use of the Subject Property for construction and operation of the Project is compatible with the existing uses of the Subject Property and the surrounding area; and

WHEREAS, Under California Code of Civil Procedure §1245.235, the governing body of the public entity may adopt a resolution of necessity only after the governing body has given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized County Assessment Roll notice and a reasonable opportunity to appear and be heard on the matters referred to in California Code of Civil Procedure §1240.030; and

WHEREAS, California Code of Civil Procedure §1245.235 requires that a public hearing be held by the Board of Supervisors sitting as a Committee of the Whole in order for the Board of Supervisors to make a finding that (1) there is a public interest and necessity for the City and County of San Francisco (CCSF) to acquire the Subject Property for construction of the Project; (2) the Project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury; (3) the Subject Property to be acquired is necessary for the Project; and (4) CCSF has made the offer required by California Government Code Section §7267.2 to the owner of record of the property; now, therefore, be it

MOVED, That it is the intention of this Board of Supervisors to hold a public hearing of the full Board of Supervisors to consider adopting a resolution to acquire the Subject Property by eminent domain; and be it

FURTHER MOVED, This public hearing is being set in such a manner that a minimum of fifteen (15) days notice shall be given to each person whose name and address appears on the last equalized County Assessment Roll notice for the subject property; and, be it

FURTHER MOVED, Said public hearing is to be held in accordance with California Code of Civil Procedure §1245.235, and notice is hereby given that on the 27th day of July, 2010, at 3:00 p.m. the Board of Supervisors will hold such public hearing; and, be it

FURTHER MOVED, At the public hearing, each person whose name and address appears on the last equalized County Assessment Roll notice for the subject property and who has filed a written request to appear within fifteen (15) days after the notice was mailed to them by first class mail may appear and be heard at the public hearing on whether (1) the public interest and necessity require CCSF to acquire the Subject Property, (2) the Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury, (3) the Subject Property sought to be acquired is necessary for the Project, and (4) CCSF has made the offer(s) required by California Government Code §7267.2 to the owner of record of the subject property; and be it

FURTHER MOVED, That the Resolution to acquire the Subject Property by eminent domain must be adopted by a two-thirds vote of all the members of the Board of Supervisors; and, be it

FURTHER MOVED, That at the close of the public hearing, the Board of Supervisors will vote to decide whether or not to adopt the Resolution captioned "Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 266-286 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31 and adopting findings of consistency with the General Plan and City Planning Code Section 101.1" on file with the Clerk of the Board of Supervisors in File No. 100835, which is hereby declared to be a part of this motion as if set forth fully herein.

City and County of San Francisco
Tails
Motion: M10-111

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100835 **Date Passed:** July 20, 2010

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of the fee simple interest in real property commonly known as 266-286 - 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

July 20, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100835

I hereby certify that the foregoing Motion was APPROVED on 7/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100838 MOTION NO. M10-112

[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 790 Market Street]

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

WHEREAS, On February 26, 2010, the SFMTA's Board of Directors adopted Resolution No. 10-025, in which the SFMTA found that the acquisition by eminent domain of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002 (the "Subsurface Easement"), is necessary for construction of the Central Subway/Third Street Light Rail Extension and other improvements (the "Project"); and

WHEREAS, In adopting Resolution No. 10-025, the SFMTA found that (a) the Project will assist SFMTA in meeting the objectives of Goal No. 1 of the SFMTA Strategic Plan (to provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-alternative modes through the Transit First policy), of Goal No. 2 (to improve transit reliability), of Goal No. 3 (to improve economic vitality through improved regional transportation), and of Goal No. 4 (to ensure the efficient and effective use of resources)

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(b) the Subsurface Easement is needed to construct and operate the Project; (c) SFMTA has limited any potential private injury by seeking to acquire only a subsurface easement and leaving the remainder of the subject property in private ownership; and (d) the acquisition and use of the Subsurface Easement for construction and operation of the Project is compatible with the existing uses of the subject property and the surrounding area; and

WHEREAS, Under California Code of Civil Procedure §1245.235, the governing body of the public entity may adopt a resolution of necessity only after the governing body has given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized County Assessment Roll notice and a reasonable opportunity to appear and be heard on the matters referred to in California Code of Civil Procedure §1240.030; and

WHEREAS, California Code of Civil Procedure §1245.235 requires that a public hearing be held by the Board of Supervisors sitting as a Committee of the Whole in order for the Board of Supervisors to make a finding that (1) there is a public interest and necessity for the City and County of San Francisco (CCSF) to acquire the Subsurface Easement for construction of the Project; (2) the Project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury; (3) the Subsurface Easement to be acquired is necessary for the Project; and (4) CCSF has made the offer required by California Government Code Section §7267.2 to the owner of record of the property; now, therefore, be it

MOVED, That it is the intention of this Board of Supervisors to hold a public hearing of the full Board of Supervisors to consider adopting a resolution to acquire the Subsurface Easement by eminent domain; and be it

FURTHER MOVED, This public hearing is being set in such a manner that a minimum of fifteen (15) days notice shall be given to each person whose name and address appears on the last equalized County Assessment Roll notice for the subject property; and, be it

FURTHER MOVED, Said public hearing is to be held in accordance with California Code of Civil Procedure §1245.235, and notice is hereby given that on the 27th day of July, 2010, at 3:00 p.m. the Board of Supervisors will hold such public hearing; and, be it

FURTHER MOVED, At the public hearing, each person whose name and address appears on the last equalized County Assessment Roll notice for the subject property and who has filed a written request to appear within fifteen (15) days after the notice was mailed to them by first class mail may appear and be heard at the public hearing on whether (1) the public interest and necessity require CCSF to acquire the Subsurface Easement, (2) the Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury, (3) the Subsurface Easement sought to be acquired is necessary for the Project, and (4) CCSF has made the offer(s) required by California Government Code §7267.2 to the owner(s) of record of the subject property; and be it

FURTHER MOVED, That the Resolution to acquire the Subsurface Easement by eminent domain must be adopted by a two-thirds vote of all the members of the Board of Supervisors; and, be it

FURTHER MOVED, That at the close of the public hearing, the Board of Supervisors will vote to decide whether or not to adopt the Resolution captioned "Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31;

and adopting findings of consistency with the General Plan and City Planning Code Section 101.1 on file with the Clerk of the Board of Supervisors in File No. 100838, which is hereby declared to be a part of this motion as if set forth fully herein.

City and County of San Francisco

Tails

Motion: M10-112

File Number: 100838 **Date Passed:** July 20, 2010

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

July 20, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100838

I hereby certify that the foregoing Motion was APPROVED on 7/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100841 MOTION NO. M10-113

[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 801 Market Street]

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

WHEREAS, On February 26, 2010, the SFMTA's Board of Directors adopted Resolution No. 10-026, in which the SFMTA found that the acquisition by eminent domain of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A (the "Subsurface Easement"), is necessary for construction of the Central Subway/Third Street Light Rail Extension and other improvements (the "Project"); and

WHEREAS, In adopting Resolution No. 10-026, the SFMTA found that (a) the Project will assist SFMTA in meeting the objectives of Goal No. 1 of the SFMTA Strategic Plan (to provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-alternative modes through the Transit First policy), of Goal No. 2 (to improve transit reliability), of Goal No. 3 (to improve economic vitality through improved regional transportation), and of Goal No. 4 (to ensure the efficient and effective use of resources),

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(b) the Subsurface Easement is needed to construct and operate the Project; (c) SFMTA has limited any potential private injury by seeking to acquire only a subsurface easement and leaving the remainder of the subject property in private ownership; and (d) the acquisition and use of the Subsurface Easement for construction and operation of the Project is compatible with the existing uses of the subject property and the surrounding area; and

WHEREAS, Under California Code of Civil Procedure §1245.235, the governing body of the public entity may adopt a resolution of necessity only after the governing body has given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized County Assessment Roll notice and a reasonable opportunity to appear and be heard on the matters referred to in California Code of Civil Procedure §1240.030; and

WHEREAS, California Code of Civil Procedure §1245.235 requires that a public hearing be held by the Board of Supervisors sitting as a Committee of the Whole in order for the Board of Supervisors to make a finding that (1) there is a public interest and necessity for the City and County of San Francisco (CCSF) to acquire the Subsurface Easement for construction of the Project; (2) the Project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury; (3) the Subsurface Easement to be acquired is necessary for the Project; and (4) CCSF has made the offer required by California Government Code Section §7267.2 to the owner of record of the property; now, therefore, be it

MOVED, That it is the intention of this Board of Supervisors to hold a public hearing of the full Board of Supervisors to consider adopting a resolution to acquire the Subsurface Easement by eminent domain; and be it

FURTHER MOVED, This public hearing is being set in such a manner that a minimum of fifteen (15) days notice shall be given to each person whose name and address appears on the last equalized County Assessment Roll notice for the subject property, and, be it

FURTHER MOVED, Said public hearing is to be held in accordance with California Code of Civil Procedure §1245.235, and notice is hereby given that on the 27th day of July, 2010, at 3:00 p.m. the Board of Supervisors will hold such public hearing; and, be it

FURTHER MOVED, At the public hearing, each person whose name and address appears on the last equalized County Assessment Roll notice for the subject property and who has filed a written request to appear within fifteen (15) days after the notice was mailed to them by first class mail may appear and be heard at the public hearing on whether (1) the public interest and necessity require CCSF to acquire the Subsurface Easement, (2) the Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury, (3) the Subsurface Easement sought to be acquired is necessary for the Project, and (4) CCSF has made the offer(s) required by California Government Code §7267.2 to the owner(s) of record of the subject property; and be it

FURTHER MOVED, That the Resolution to acquire the Subsurface Easement by eminent domain must be adopted by a two-thirds vote of all the members of the Board of Supervisors; and, be it

FURTHER MOVED, That at the close of the public hearing, the Board of Supervisors will vote to decide whether or not to adopt the Resolution captioned "Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31"

and adopting findings of consistency with the General Plan and City Planning Code Section 101.1 on file with the Clerk of the Board of Supervisors in File No. 100841, which is hereby declared to be a part of this motion as if set forth fully herein.

City and County of San Francisco

Tails

Motion: M10-113

[redacted]
San Francisco, CA 94102-4689

File Number: 100841 **Date Passed:** July 20 2010

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 901 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

July 20, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100841

I hereby certify that the foregoing Motion was APPROVED on 7/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

[redacted]

FILE NO. 100844 MOTION NO. M10-114

[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 933-949 Stockton Street]

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of the fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

WHEREAS, On April 20, 2010 the SFMTA's Board of Directors adopted Resolution No. 10-049, in which the SFMTA found that the acquisition by eminent domain of the fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001 (the "Subject Property"), is necessary for construction of the Central Subway/Third Street Light Rail Extension and other improvements (the "Project"); and

WHEREAS, In adopting Resolution No. 10-050, the SFMTA found that (a) the Project will assist SFMTA in meeting the objectives of Goal No. 1 of the SFMTA Strategic Plan (to provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-alternative modes through the Transit First policy), of Goal No. 2 (to improve transit reliability), of Goal No. 3 (to improve economic vitality through improved regional transportation), and of Goal No. 4 (to ensure the efficient and effective use of resources);

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(b) the Subject Property is needed to construct and operate the Project; (c) SFMTA has limited any potential private injury; and (d) the acquisition and use of the Subject Property for construction and operation of the Project is compatible with the existing uses of the Subject Property and the surrounding area; and

WHEREAS, Under California Code of Civil Procedure §1245.235, the governing body of the public entity may adopt a resolution of necessity only after the governing body has given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized County Assessment Roll notice and a reasonable opportunity to appear and be heard on the matters referred to in California Code of Civil Procedure §1240.030; and

WHEREAS, California Code of Civil Procedure §1245.235 requires that a public hearing be held by the Board of Supervisors sitting as a Committee of the Whole in order for the Board of Supervisors to make a finding that (1) there is a public interest and necessity for the City and County of San Francisco (CCSF) to acquire the Subject Property for construction of the Project; (2) the Project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury; (3) the Subject Property to be acquired is necessary for the Project; and (4) CCSF has made the offer required by California Government Code Section §7267.2 to the owner of record of the property; now, therefore, be it

MOVED, That it is the intention of this Board of Supervisors to hold a public hearing of the full Board of Supervisors to consider adopting a resolution to acquire the Subject Property by eminent domain; and be it

FURTHER MOVED, This public hearing is being set in such a manner that a minimum of fifteen (15) days notice shall be given to each person whose name and address appears on the last equalized County Assessment Roll notice for the subject property; and, be it

FURTHER MOVED, Said public hearing is to be held in accordance with California Code of Civil Procedure §1245.235, and notice is hereby given that on the 27th day of July 2010, at 3:00 p.m. the Board of Supervisors will hold such public hearing; and, be it

FURTHER MOVED, At the public hearing, each person whose name and address appears on the last equalized County Assessment Roll notice for the subject property and who has filed a written request to appear within fifteen (15) days after the notice was mailed to them by first class mail may appear and be heard at the public hearing on whether (1) the public interest and necessity require CCSF to acquire the Subject Property, (2) the Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury, (3) the Subject Property sought to be acquired is necessary for the Project, and (4) CCSF has made the offer(s) required by California Government Code §7267.2 to the owner of record of the subject property; and be it

FURTHER MOVED, That the Resolution to acquire the Subject Property by eminent domain must be adopted by a two-thirds vote of all the members of the Board of Supervisors and, be it

FURTHER MOVED, That at the close of the public hearing, the Board of Supervisors will vote to decide whether or not to adopt the Resolution captioned "Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1" on file with the Clerk of the Board of Supervisors in File No. 100844 which is hereby declared to be a part of this motion as if set forth fully herein.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100844 Date Passed: July 20, 2010

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity for the acquisition of the fee simple interest in real property commonly known as 970-940 Stevenson Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

July 20, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100844

I hereby certify that the foregoing Motion was APPROVED on 7/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100847 MOTION NO. M10-115

[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 1455 Stockton Street]

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

WHEREAS, On February 26, 2010, the SFMTA's Board of Directors adopted Resolution No. 10-024, in which the SFMTA found that the acquisition by eminent domain of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001 (the "Subsurface Easement"), is necessary for construction of the Central Subway/Third Street Light Rail Extension and other improvements (the "Project"); and

WHEREAS, In adopting Resolution No. 10-024, the SFMTA found that (a) the Project will assist SFMTA in meeting the objectives of Goal No. 1 of the SFMTA Strategic Plan (to provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-alternative modes through the Transit First policy), of Goal No. 2 (to improve transit reliability), of Goal No. 3 (to improve economic vitality through improved regional transportation), and of Goal No. 4 (to ensure the efficient and effective use of resources);

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(b) the Subsurface Easement is needed to construct and operate the Project; (c) SFMTA has limited any potential private injury by seeking to acquire only a subsurface easement and leaving the remainder of the subject property in private ownership; and (d) the acquisition and use of the Subsurface Easement for construction and operation of the Project is compatible with the existing uses of the subject property and the surrounding area; and

WHEREAS, Under California Code of Civil Procedure §1245.235, the governing body of the public entity may adopt a resolution of necessity only after the governing body has given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized County Assessment Roll notice and a reasonable opportunity to appear and be heard on the matters referred to in California Code of Civil Procedure §1240.030; and

WHEREAS, California Code of Civil Procedure §1245.235 requires that a public hearing be held by the Board of Supervisors sitting as a Committee of the Whole in order for the Board of Supervisors to make a finding that (1) there is a public interest and necessity for the City and County of San Francisco (CCSF) to acquire the Subsurface Easement for construction of the Project; (2) the Project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury; (3) the Subsurface Easement to be acquired is necessary for the Project; and (4) CCSF has made the offer required by California Government Code Section §7267.2 to the owner of record of the property; now, therefore, be it

MOVED, That it is the intention of this Board of Supervisors to hold a public hearing of the full Board of Supervisors to consider adopting a resolution to acquire the Subsurface Easement by eminent domain; and be it

FURTHER MOVED, This public hearing is being set in such a manner that a minimum of fifteen (15) days notice shall be given to each person whose name and address appears on the last equalized County Assessment Roll notice for the subject property; and, be it

FURTHER MOVED, Said public hearing is to be held in accordance with California Code of Civil Procedure §1245.235, and notice is hereby given that on the 27th day of July, 2010, at 3:00 p.m. the Board of Supervisors will hold such public hearing; and, be it

FURTHER MOVED, At the public hearing, each person whose name and address appears on the last equalized County Assessment Roll notice for the subject property and who has filed a written request to appear within fifteen (15) days after the notice was mailed to them by first class mail may appear and be heard at the public hearing on whether (1) the public interest and necessity require CCSF to acquire the Subsurface Easement, (2) the Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury, (3) the Subsurface Easement sought to be acquired is necessary for the Project, and (4) CCSF has made the offer(s) required by California Government Code §7267.2 to the owner(s) of record of the subject property; and be it

FURTHER MOVED, That the Resolution to acquire the Subsurface Easement by eminent domain must be adopted by a two-thirds vote of all the members of the Board of Supervisors; and, be it

FURTHER MOVED, That at the close of the public hearing, the Board of Supervisors will vote to decide whether or not to adopt the Resolution captioned " Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31,

and adopting findings of consistency with the General Plan and City Planning Code Section 101.1 on file with the Clerk of the Board of Supervisors in File No. 100847, which is hereby declared to be a part of this motion as if set forth fully herein.

City and County of San Francisco

Tails

Motion: M10-115

1 Dr. Carlton B. Goodlett Place

File Number: 100847 **Date Passed:** July 20, 2010

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 1155 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot [illegible] by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

July 20, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100847

I hereby certify that the foregoing Motion was APPROVED on 7/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100947 MOTION NO. M10-116

[Final Map 5719 – 238 Olive Street; 1030 Franklin Street]

Motion approving Final Map 5719, an Eight Residential Unit Condominium Project located at 238 Olive Street and 1030 Franklin Street being a subdivision of Lot 082 in Assessors Block No. 0719 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 5719", comprising 2 sheets approved June 22, 2010, by Department of Public Works Order No. 178, 731 is hereby approved and said map is adopted as an Official Final Map 5719; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated November 3, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the San Francisco Redevelopment Agency recommending that the City approve the subject Final Map, by its letter dated November 20, 2009; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

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FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edward D. Reiskin
Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco
Tails
Motion: M10-116

File Number: 100947 **Date Passed:** July 20, 2010

Motion approving Final Map 5719, an Eight Residential Unit Condominium Project, located at 2071 [illegible] Street and 1030 Franklin Street being a subdivision of Lot No. 082 in Assessors Block No. 0719 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

July 20, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100947

I hereby certify that the foregoing Motion was APPROVED on 7/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100948 MOTION NO. M10-117

[Final Map 5168 – 5600 3rd Street]

Motion approving Final Map 5168, a Five Lot Airspace Project, located at 5600 3rd Street being a subdivision of Lot 013 in Assessors Block No. 5421 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5168", comprising 3 sheets, approved June 22, 2010, by Department of Public Works Order No. 178, 732 is hereby approved and said map is adopted as an Official Final Map 5168; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated October 26, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the San Francisco Redevelopment Agency recommending that the City approve the subject Final Map, by its letter dated November 20, 2008; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS

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RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco

Tails

Motion: M10-117

File Number: 100948 **Date Passed:** July 20, 2010

Motion approving Final Map 5168, a Five Lot Airspace Project, located at 5600 3rd Street being a subdivision of Lot No. 013 in Assessors Block No. 5421 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

July 20, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100948

I hereby certify that the foregoing Motion was APPROVED on 7/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100750

Amendment of the Whole 8/9/10
MOTION NO. M10-118

[Increase the Real Property Transfer Tax.]

Motion ordering submitted to the voters an ordinance authorizing an amendment to the Real Property Transfer Tax at an election to be held on November 2, 2010.

MOVED, That the Board of Supervisors hereby submits the following ordinance to the voters of the City and County of San Francisco, at an election to be held on November 2, 2010.

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 1102 of Article 12-C - Real Property Transfer Tax to increase the Real Property Transfer Tax on certain properties.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Business and Tax Regulations Code is hereby amended by amending Section 1102 of Article 12-C to read as follows:

SEC. 1102. TAX IMPOSED.

There is hereby imposed on each deed, instrument or writing by which any lands, tenements, or other realty sold within the City and County of San Francisco shall be granted, assigned, transferred or otherwise conveyed to, or vested in the purchaser or purchasers, or any other person or persons, by his or her or their direction, when the consideration or value of the interest or property conveyed (not excluding the value of any lien or encumbrances remaining thereon at the time of sale) (i) exceeds $100.00 but is less than or equal to ~~$250,000.00~~*$250,000.00*, a tax at the rate of $2.50 for each $500.00 or fractional part thereof; or

Supervisor Avalos
BOARD OF SUPERVISORS

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(iii) more than $250,000.00 and less than ~~$1,000,000.00~~$1,000,000.00, a tax at the rate of $3.40 for each $500.00 or fractional part thereof for the entire value or consideration, including, but not limited to, any portion of such value or consideration that is less than $250,000.00; or

(iv) ~~more than~~ at least $1,000,000.00 and less than $5,000,000.00, a tax at the rate of $3.75 for each $500.00 or fractional part thereof for the entire value or consideration, including, but not limited to, any portion of such value or consideration that is less than $1,000,000.00; or

(v) ~~more than~~ at least $5,000,000.00 and ~~therefore less than $10,000,000.00~~, a tax at the rate of ~~$10,005.50~~ for each $500.00 or fractional part thereof for the entire value or consideration, including, but not limited to, any portion of such value or consideration that is less than ~~$5,000,000.00~~; or by at least $10,000,000.00 and above, a tax at the rate of $12.50 for each $500.00 or fractional part thereof for the entire value or consideration, including but not limited to, any portion of such value or consideration that is less than $10,000,000.00. The People of the City and County of San Francisco authorize the Board of Supervisors to enact ordinances, without further voter approval, that will exempt rent-restricted affordable housing, as the Board may define that term, from the increased tax rate in subsections (iv) and (v).

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Carol A. Boardman
Carol A. Boardman
Deputy City Attorney

City and County of San Francisco
Tails
Motion: M10-118

File Number: 100750 Date Passed: July 27, 20[illegible]

Motion ordering submitted to the voters an ordinance authorizing an amendment to the Real Property Transfer Tax at an election to be held on November 2, 2010.

July 20, 2010 Board of Supervisors - CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

July 27, 2010 Board of Supervisors - APPROVED

Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell and Mirkarimi

Noes: 3 - Alioto-Pier, Chu and Elsbernd

File No. 100750

I hereby certify that the foregoing Motion was APPROVED on 7/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100897 MOTION NO. M10-119

[Appointment, Police Commission]

Motion confirming the Mayor's nomination of, and appointing, Carol Kingsley to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014.

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby confirms the Mayor's nomination of, and appoints, Carol Kingsley to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014 consistent with Section 4.109 of the City Charter.

Carol Kingsley, succeeding Yvonne Lee, term expired, seat 7, must be nominated by the Mayor or its successor and subject to confirmation by the Board of Supervisors for the unexpired portion of a four-year term ending April 30, 2014.

Clerk of the Board
BOARD OF SUPERVISORS

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City and County of San Francisco
Tails
Motion: M10-119

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100897 Date Passed: July 27, 2010

Motion confirming the Mayor's nomination of, and appointing, Carol Kingsley to the San Francisco Parole Commission for the unexpired portion of a four-year term ending April 30, 2014.

July 27, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100897

I hereby certify that the foregoing Motion was APPROVED on 7/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

. ILE NO. 100989 MOTION NO. M10-120

[Bayview Hunters Point Redevelopment Plan]

Motion adopting findings in response to written objections to adoption of an amendment to the Bayview Hunters Point Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Redevelopment Plan, pursuant to the requirements of the California Community Redevelopment Law.

WHEREAS, A public hearing on adoption of an amendment to the Redevelopment Plan for the Bayview Hunters Point (the "BVHP Plan Amendment") was duly noticed and held by the Board of Supervisors on July 13, 2010; and

WHEREAS, Various written objections to adoption of the BVHP Plan Amendment were delivered to the Clerk of the Board prior to the hour set for the hearing thereon various written objections to adoption of the BVHP Plan Amendment were presented to the Clerk during the hearing, and one objection to the BVHP Plan Amendment was presented to the Clerk after the hearing had been closed; and,

WHEREAS, The Board of Supervisors deferred adoption of the BVHP Plan Amendment for two weeks to provide for consideration of the objections and adoption of written findings in response thereto, as required by the California Community Redevelopment Law; and

WHEREAS, The Redevelopment Agency has prepared a written response to all such written objections describing the disposition of the issues raised and addressing the written objections in detail, including reasons for not accepting the specified objections and suggestions, and containing a good-faith, reasoned analysis of such issues a copy of which

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response is on file with the Clerk of the Board of Supervisors in File No. 100658 (the "Response"); now, therefore, be it

Moved: That the Board of Supervisors hereby adopts the Response as its written findings in response to such objections to adoption of the BVHP Plan pursuant to the requirements of the California Community Redevelopment Law (Sections 33364 and 33363 of the Health and Safety Code) for the same reasons as set forth in the Response and hereby incorporates the Response, including the findings contained therein, by reference as though fully set forth in this Motion.

City and County of San Francisco

Tails

Motion: M10-120

City Hall
[illegible]
San Francisco, CA 94102-4689

File Number: 100989 **Date Passed:** July 27, 2010

Motion adopting findings in response to written objections to adoption of an amendment to the Bayview Hunters Point Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Redevelopment Plan, pursuant to the requirements of the California Community Redevelopment Law.

July 19, 2010 Board of Supervisors - REFERRED

July 27, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwel and Mirkarimi
Noes: 1 - Daly

File No. 100989

I hereby certify that the foregoing Motion was APPROVED on 7/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Moved, That the Board of Supervisors hereby adopts the Response as its written findings in response to such objections to adoption of the HPS Plan pursuant to the requirements of the California Community Redevelopment Law (Sections 33364 and 33363 of the Health and Safety Code) for the same reasons as set forth in the Response and hereby incorporates the Response, including the findings contained therein, by reference as though fully set forth in this Motion.

City and County of San Francisco
Tails
Motion: M10-121

File Number: 100988 **Date Passed:** July 27 2010

Motion adopting findings in response to written objections to adoption of an amendment to the Hunters Point Shipyard Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Redevelopment Plan, pursuant to the requirements of the California Community Redevelopment Law.

July 19, 2010 Board of Supervisors - REFERRED

July 27, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Daly

File No. 100988

I hereby certify that the foregoing Motion was APPROVED on 7/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the whole
in committee. 7/15/10

FILE NO. 100953 MOTION NO. M10-122

[Community Policing and Foot Beat Patrols.]

Motion ordering submitted to the voters an ordinance at an election to be held on November 2, 2010 establishing the Community Policing Policy and Foot Beat Patrol Program and supplanting any City ordinance the voters approve at the November 2, 2010 election that bans lying or sitting on public sidewalks.

MOVED, That the Board of Supervisors hereby submits the following ordinance to the voters of the City and County of San Francisco, at an election to be held on November 2, 2010.

Ordinance amending the San Francisco Administrative Code by adding Sections 2A.89.1 through 2A.89.6, to establish a Community Policing Policy and Foot Beat Patrol Program within the San Francisco Police Department and supplanting any City ordinance the voters approve at the November 2, 2010 election that bans lying or sitting on public sidewalks.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 2A.89.1 through 2A.89.6, to read as follows:

SEC. 2A.89.1. FINDINGS.

(a) In 1994, with the passage of Proposition D, Charter Section 4.127, establishing a minimum police staffing in the City Charter, the voters specifically intended for officers to be "dedicated to neighborhood policing and patrol."

Supervisors Mirkarimi, Chiu, Mar
BOARD OF SUPERVISORS

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(b) In 2007, the City established a successful foot patrol pilot program that demonstrated the effectiveness of foot officers. The City commissioned the Public Safety Strategies Group (PSSG) to evaluate this pilot program.

(c) Released April 8, 2008, the PSSG Foot Patrol Program Evaluation Report (Report) found that 90 percent of community member respondents believe foot patrols are a necessary tool for the San Francisco Police Department (SFPD) to use in addressing crime, public safety, and quality of life issues, while 79 percent of SFPD respondents believe that foot patrols are a viable strategy for the department.

(d) However, the Report also found that the SFPD was not able to fully implement the pilot foot patrol program, and recommended that SFPD develop clearly defined goals and objectives, a strategic plan and community outreach in order to fully and successfully implement a foot patrol program.

(e) The San Francisco Municipal Railway (MUNI) is an extension of San Francisco's public spaces; thus, a police presence on MUNI is essential to public safety and welfare and to reduce crime.

SEC. 2A.89.2. REQUIRING THE POLICE COMMISSION TO ADOPT A COMMUNITY POLICING POLICY.

(a) The San Francisco Police Commission shall adopt a comprehensive written policy on community policing. The policy shall include at a minimum:

(1) A description of long-term, preventative problem-solving strategies and tools that are available to police officers;

(2) A plan for encouraging full and open communication and collaboration among Police Department personnel and community members, including in developing and implementing neighborhood-specific policing priorities and strategies;

(3) Strategies for providing culturally and linguistically-competent police services;

(4) Goals for allocating police resources between the key tasks of community policing, responding to calls for emergency service and engaging in proactive efforts to identify and solve community problems that contribute to crime;

(5) A strategy for developing and maintaining productive interpersonal relationships between uniformed personnel assigned to district stations and the residents of the neighborhoods that they serve, with an emphasis on maintaining the continuity of service of key personnel involved in community policing efforts; and,

(6) A redesign of training and professional development to promote and encourage community-oriented policing initiatives throughout the Department.

(b) Timeline. The Police Commission shall agendize adoption of a comprehensive community policing policy within six months of the effective date of this ordinance. The Commission shall hold at least one public hearing before adopting any policy. The Commission shall forward a draft of its initial proposed community policing policy to the Board of Supervisors and the Mayor at least 10 days prior to its first public hearing to consider adoption of a policy. Upon adoption, the Police Commission shall forward the policy to the Board of Supervisors and the Mayor.

SEC. 2A.89.3. FOOT BEAT PATROL PROGRAM.

(a) The Chief of Police shall create a comprehensive Foot Beat Patrol Program in all Police stations.

(b) The Foot Beat Patrol Program shall include the following components:

(1) Designated foot beats, based on current assessments of the most critical and immediate need for a physical police presence to address and prevent crime;

(2) Dedicated patrols of the San Francisco Municipal Railway that provide a uniformed presence on MUNI lines. The specific MUNI lines patrolled shall be determined based on community input, needs, and evolving or emerging patterns of criminal activity or suspected criminal activity;

(c) Regular reviews of the specific routes of foot beats based on community input, neighborhood needs, and evolving or emerging patterns of criminal activity or suspected criminal activity; and,

(3) Regular meetings with community members and foot patrol officers to develop policing priorities and strategies – including prevention, intervention and enforcement – that are specific to the neighborhood and the needs of its residents.

(c) Foot patrols shall be managed to identify and reduce the incidence of crime in the areas most heavily impacted by crime. The Chief of Police shall develop guidelines for foot patrol officers that include the following:

(1) Make every effort to be known in the community through consistent interactions with residents. In particular, officers on foot patrol should establish a regular physical police presence along commercial corridors, at schools, community centers, senior centers, homeless shelters, churches and other places of worship, housing authority developments, after school program locations, and other locations where seniors, children and youth gather;

(2) Identify and address crime and nuisance problems that affect the quality of life and the level of safety of neighborhood residents. Foot patrol officers should work with neighborhood residents and City agencies to identify and eliminate any structural, physical, or other features that may hide or encourage crime or criminal activity; and,

(3) Encourage residents' involvement in activities that contribute to crime prevention, including neighborhood watch activities, neighborhood clean-up and beautification, and crime prevention educational programs.

SEC. 2A.89.4. REPORTS ON THE STATUS OF FOOT BEAT PATROL PROGRAM.

The Police Department shall submit to the Board of Supervisors bi-annual reports by April 1st and October 1st of every year on the status of the Foot Beat Patrol Program. The report shall include at least the following:

(1) Data regarding all reported crime within the foot beats described in Section 2A.89.3 by type, during the six-month period prior to the report and comparisons to previous six month periods;

(2) Detailed records of the number of foot beats actually staffed, including time, date and number of officers assigned;

(3) Redevelopment or reassignment of staff between stations, or from sector cars to foot patrol within a station, in response to the requirements of this ordinance; and,

(4) Response times to priority calls for service (A and B calls) at each of the Police stations.

SEC. 2A.89.5. GENERAL WELFARE.

In undertaking the enforcement of this ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SEC. 2A.89.6. SEVERABILITY.

If any part of this ordinance, or the application thereof, is held to be invalid, the remainder of this ordinance shall not be affected thereby, and this ordinance shall otherwise continue in full force and effect. To this end, the provisions of this ordinance, and each of them are severable. If Section 2 of this ordinance is unenforceable because the voters approve, with more votes than this ordinance, [illegible] ordinance at the November 2, 2010 election that bans lying or sitting on public sidewalks, then it is the voters' intent that the balance of this ordinance shall be enforceable.

Section 2. Voters find that foot patrols ensuring the regular presence of officers to enforce existing laws against sidewalk obstruction, assault, and other disorderly conduct are a more effective vehicle to address agery and civility in public spaces and to protect the interests of merchants and citizens than an outright ban against persons sitting or lying upon public sidewalks. Therefore, it is the voters' intent that the Foot Beat Patrol Program supplant any City ordinance the voters approve at the November 2, 2010 election that bans lying or sitting on public sidewalks.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
BURK E. DELVENTHAL
Deputy City Attorney

City and County of San Francisco

Tails

Motion: M10-122

File Number: 100953 **Date Passed:** July 27, 2010

Motion ordering submitted to the voters an ordinance at an election to be held on November 2, 2010, establishing the Community Policing Policy and Foot Beat Patrol Program and supplanting any City ordinance the voters approve at the November 2, 2010, election that bans lying or sitting on public sidewalks.

July 27, 2010 Board of Supervisors – DIVIDED the question relating to requiring the Police Commission to adopt a community policing policy located on Page 2, Line 15 through Page 3, Line 15.

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

July 27, 2010 Board of Supervisors - APPROVED

Ayes: 7 - Avalos, Campos, Chiu, Daly, Mar, Maxwell and Mirkarimi
Noes: 4 - Alioto-Pier, Chu, Dufty and Elsbernd

File No. 100953

I hereby certify that the foregoing Motion was DIVIDED on 7/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100902 MOTION NO. M10-123

[Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]

Motion directing the Board of Supervisors to hold a public hearing on August 3, 2010, with the Board sitting as a Committee of the Whole, to consider adopting a resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection, for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on August 3, 2010, at 3:00 p.m. to hear a resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection, for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above.

Clerk of the Board
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City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion: M10-123

File Number: 100902 **Date Passed:** July 27, 2010

Motion directing the Board of Supervisors to hold a public hearing on August 3, 2010, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection, for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above.

July 27, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100902

I hereby certify that the foregoing Motion was APPROVED on 7/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100939 MOTION NO M10-124

[Budget and Legislative Analyst Review of Aging in Place Practices and Resources]

Motion directing the Budget and Legislative Analyst to conduct a review of practices and resources that might enable aging adults in the City and County of San Francisco to live in their homes and communities independently. Specific areas of review may include: (1) determining the approximate number of seniors on affordable housing and public housing waitlists in San Francisco; (2) collecting and summarizing demographic information about seniors in San Francisco; (3) reviewing independent living programs and models including shared housing programs, cross-generational aging in place programs, volunteer health advocacy programs, and the non-profit retirement villages model; and (4) providing legislative recommendations for incentives that encourage property owners to make residential upgrades that increase accessibility and safety.

WHEREAS, The U.S. Census estimates that the senior population in San Francisco was 160,169 in 2008, or approximately 20% of the City's population of 798,196; and

WHEREAS, The California Department of Finance projects that the number of seniors in San Francisco will increase by 90,551, or 56.5, percent from 160,169 to 250,720 by 2030; and

WHEREAS, The San Francisco Human Services Agency's Department of Aging and Adult Services reports that the majority of San Francisco seniors reside in older apartments and houses that may not meet their safety and accessibility needs; and

WHEREAS, The number of assisted living facilities and programs in San Francisco that provide publically subsidized home modification services to address seniors' needs is small

Supervisor Mar
BOARD OF SUPERVISORS

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relative to the total senior population, and such assisted living facilities and programs are not anticipated to expand in the near future; now, therefore, be it

MOVED, That the Budget and Legislative Analyst is hereby directed to conduct a review of practices and resources that might enable aging adults in the City and County of San Francisco to live in their homes and communities independently, and to provide legislative recommendations for incentives that would encourage property owners to make residential upgrades that increase accessibility and safety.

City and County of San Francisco

Tails

Motion: M10-124

File Number: 100939 **Date Passed:** August 03, 2010

Motion directing the Budget and Legislative Analyst to conduct a review of practices and resources that might enable aging adults in the City and County of San Francisco to live in their homes and communities independently. Specific areas of review may include: (1) determining the approximate number of seniors on affordable housing and public housing waitlists in San Francisco; (2) collecting and summarizing demographic information about seniors in San Francisco; (3) reviewing independent living programs and models including shared housing programs, cross-generational aging in place programs, volunteer health advocacy programs, and the non-profit retirement villages model; and (4) providing legislative recommendations for incentives that encourage property owners to make residential upgrades that increase accessibility and safety.

August 03, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100939

I hereby certify that the foregoing Motion was APPROVED on 8/3/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100508

Amended in Committee
07/22/2010

MOTION NO. M10-125

[Directing the Budget and Legislative Analyst to Audit the Department of Children, Youth and Their Families]

Motion directing the Budget and Legislative Analyst to audit the Department of Children, Youth and Their Families in their oversight of early childhood care and education programs.

WHEREAS, On January 26, 2010, the Budget and Legislative Analyst of the Board of Supervisors issued a letter to the Board of Supervisors outlining criteria for the selection of audits, including those departments or programs that have not been recently audited; and

WHEREAS, As part of that letter, a table was included of each department or program that has recently been audited, and it appears the Department of Children, Youth and Their Families is the largest City department that has not been subject of a performance audit and which does not receive annual financial audits; and

WHEREAS, The Budget Analyst letter is on file with the Clerk of the Board of Supervisors in File No. 100508, which is hereby declared to be a part of this motion as if set forth fully herein; and

WHEREAS, In Fiscal Year 2009-2010, the Department of Children, Youth and Their Families had a total budget of $136.6 Million, with $23.7 Million in General Fund and $112.9 Million in departmental revenues; and

WHEREAS, Funding for the Department of Children, Youth and Their Families comes in part through the Children's Fund, a Charter mandated set-aside that fluctuates from year to year; and

WHEREAS, An audit of the Department of Children, Youth and Their Families will ensure that the Children's Fund allocations are proper, that programs are run in the most

Supervisor Alioto-Pier
BOARD OF SUPERVISORS

GOVERNMENT
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efficient manner possible, and that San Francisco's families and taxpayers get a good return on their investment; and

WHEREAS, Approval of this audit is the first step in making sure that every City department is audited on a regular basis to identify waste, fraud and abuse in City government and ensure that programs are run in the most efficient manner possible; and

WHEREAS, This audit will encompass both the Department of Children, Youth and Their Families, and any programs or services it funds outside of City government; now, therefore, be it

MOVED, That the Board of Supervisors directs the Budget and Legislative Analyst to conduct an audit of the Department of Children, Youth and Their Families in their oversight of early childhood care and education programs; and, be it

FURTHER MOVED, That the Board of Supervisors directs the Budget and Legislative Analyst to evaluate the Department of Children, Youth, and Their Families' coordination of early childhood care and education programs with the First Five Commission, the Human Services Agency, Department of Public Health, and other City departments; and, be it

FURTHER MOVED, That the scope of the Budget and Legislative Analyst's audit of the Department of Children, Youth and Their Families' oversight of early childhood care and education programs and coordination with other City departments includes evaluation of (a) best practices for early childhood care and education programs, (b) duplication or gaps in programs provided by City departments, (c) which communities are underserved and which programs are underutilized, (d) City departments' oversight of program providers, (e) opportunities for improved interdepartmental coordination of the City's early childhood care and education programs, and (f) coordination of early childhood care and education programs with child health programs.

City and County of San Francisco
Tails
Motion: M10-125

File Number: 100508 **Date Passed:** August 03, 2010

Motion directing the Budget and Legislative Analyst to audit the Department of Children, Youth and Their Families in their oversight of early childhood care and education programs.

August 03, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100508

I hereby certify that the foregoing Motion was APPROVED on 8/3/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100961

Amended in Board 8/3/10
MOTION NO. M10-126

[Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 2, 2010, Consolidated General Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2010, Consolidated General Election.

WHEREAS, The Board of Supervisors wishes to authorize the Board Member sponsors of the following ballot measures to prepare and submit a written proponent ballot argument and proponent rebuttal argument for submittal to the Director of Elections:

- Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 13.112 and amending Article XVII to establish Election Day Voter Registration for exclusively municipal elections. (Supervisor Mirkarimi)

- Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.103 and 3.100, to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines. (Supervisor Daly)

- Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 12.00, to shorten, on a one-time basis, the term of one Health Service Board member from five years to three years, and the term of another

GOVERNMENT
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Health Service Board member from five years to two years, so that Board terms will expire in pairs in the future and can be filled during the same Board election. (Supervisor Elsbernd)

- Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100 and adding Section 13.111 to authorize San Francisco residents 18 years of age or older who are the parents, legal guardians or caregivers of children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the residents are United States citizens. (Supervisor Chiu)

- Ordinance submitting to the voters amending the San Francisco Business and Tax Regulations Code by amending Section 6.2-13 of Article 6 - Common Administrative Provisions, Section 501 of Article 7 - Tax on Transient Occupancy of Hotel Rooms, and Section 601 of Article 9 - Tax on Occupancy of Parking Space in Parking Stations, to amend and consolidate the definition of "Operator" and to clarify who is responsible for collecting and remitting third-party taxes; and amending Section 501 of Article 7 - Tax on Transient Occupancy of Hotel Rooms, to specify that a "Permanent Resident" is an individual. (Mayor)

- Ordinance submitting to the voters amending the San Francisco Police Code by adding Section 168 to promote civil sidewalks. (Mayor)

- Ordinance submitting to the voters amending Chapter 2 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding Section 3.221 to

prohibit dual office holding in a City elective office and an elected board of a political party county central committee. (Mayor)

- Ordinance submitting to the voters to authorize general obligation bonded indebtedness of the City and County in the Amount of Forty Six Million One Hundred and Fifty Thousand Dollars ($46,150,000) to provide deferred loans and/or grants to pay the costs of seismic retrofits to multi-story wood structures that are at significant risk of substantial damage and collapse during an earthquake; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election on the same date; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the

provisions of Article V of Chapter V of the San Francisco Administrative Code; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code. (Mayor)

- Motion ordering submitted to the voters an ordinance authorizing an amendment to the Real Property Transfer Tax at an election to be held on November 2, 2010. (Supervisor Avalos)

- Motion ordering submitted to the voters an ordinance at an election to be held on November 2, 2010 establishing the Community Policing Policy and Foot Beat Patrol Program and supplanting any City ordinance the voters approve at the November 2, 2010 election that bans lying or sitting on public sidewalks. (Supervisor Mirkarimi)

WHEREAS, The Board of Supervisors wishes to authorize the Board Member(s) opposed to the following ballot measures to prepare and submit a written opponent ballot argument and rebuttal ballot argument for submittal to the Director of Elections:

- Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 13.112 and amending Article XVII to establish Election Day Voter Registration for exclusively municipal elections. (Supervisor Alioto-Pier, Elsbernd)

- Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.103 and 3.100, to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month

to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines. (Supervisors Alioto-Pier, Elsbernd)

- Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 12.00, to shorten, on a one-time basis, the term of one Health Service Board member from five years to three years, and the term of another Health Service Board member from five years to two years, so that Board terms will expire in pairs in the future and can be filled during the same Board election. (Supervisor Daly)

- Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100 and adding Section 13.111 to authorize San Francisco residents 18 years of age or older who are the parents, legal guardians or caregivers of children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the residents are United States citizens.

- Ordinance submitting to the voters amending the San Francisco Business and Tax Regulations Code by amending Section 6.2-13 of Article 6 - Common Administrative Provisions, Section 501 of Article 7 - Tax on Transient Occupancy of Hotel Rooms, and Section 601 of Article 9 - Tax on Occupancy of Parking Space in Parking Stations, to amend and consolidate the definition of "Operator" and to clarify who is responsible for collecting and remitting third-party taxes; and amending Section 501 of Article 7 - Tax on Transient Occupancy of Hotel Rooms, to specify that a "Permanent Resident" is an individual. (Supervisor Avalos)

- Ordinance submitting to the voters amending the San Francisco Police Code by adding Section 168 to promote civil sidewalks. (Supervisor Campos)

- Ordinance submitting to the voters amending Chapter 2 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding Section 3.221 to prohibit dual office holding in a City elective office and an elected board of a political party county central committee. (Supervisor Mirkarimi)

- Ordinance submitting to the voters to authorize general obligation bonded indebtedness of the City and County in the Amount of Forty Six Million One Hundred and Fifty Thousand Dollars ($46,150,000) to provide deferred loans and/or grants to pay the costs of seismic retrofits to multi-story wood structures that are at significant risk of substantial damage and collapse during an earthquake; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act; finding that the proposed project is in conformity

with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election on the same date; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

- Motion ordering submitted to the voters an ordinance authorizing an amendment to the Real Property Transfer Tax at an election to be held on November 2, 2010. (Supervisor Alioto-Pier)

- Motion ordering submitted to the voters an ordinance at an election to be held on November 2, 2010 establishing the Community Policing Policy and Foot Beat Patrol Program and supplanting any City ordinance the voters approve at the November 2, 2010 election that bans lying or sitting on public sidewalks. (Supervisors Alioto Pier, Chu, Dufty, Elsbernd)

- Initiative Petition Charter Amendment to amend the Charter of the City and County of San Francisco by amending Section A.8.490 regarding City Retirement and Health Plans. (Supervisor Chiu)

WHEREAS, The Board Member(s) authorized to submit the proponent and opponent ballot arguments will submit the argument to the Director of Elections no later than the deadline of noon, August 12, 2010, and the respective rebuttal ballot argument no later than noon, August 16, 2010; now, therefore, be it

MOVED, That the Board of Supervisors hereby authorizes the sponsors and designated opponents of each measure, as listed above, under the provisions of the San Francisco Elections Code Sections 530 and 550, to prepare and submit a written proponent and opponent ballot argument and respective rebuttal ballot arguments on their measures; and, be it

FURTHER MOVED, That the sponsors and opponents of measures submitted to the voters for the November 2, 2010, Election, who are authorized by this motion to prepare and submit arguments, may authorize or assign to any other person(s) under the provisions of the San Francisco Elections Code Sections 530 and 550 (c) and (d) the right to prepare and submit the proponent or opponent's ballot arguments and/or respective rebuttal arguments.

City and County of San Francisco
Tails
Motion: M10-126

City Hall
1 Dr. Carlton B. Goodlett Place

File Number: 100961 **Date Passed:** August 03, 2010

Motion authorizing preparation of written proponent and opponent ballot arguments and rebuttal arguments for submittal to the voters at the November 2, 2010, Election.

July 27, 2010 Board of Supervisors - CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

August 03, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

August 03, 2010 Board of Supervisors - AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

August 03, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100961

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 8/3/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100996 MOTION NO. M10-127

[Reappointment - Board of Appeals - Michael Garcia]

Motion approving the Mayor's reappointment of Michael Garcia to the Board of Appeals for the term ending July 1, 2014.

WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Michael Garcia to the Board of Appeals, received by the Clerk of the Board on July 13, 2010; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Michael Garcia to the Board of Appeals term ending July 1, 2014.

Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

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City and County of San Francisco
Tails
Motion: M10-127

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100996 **Date Passed:** August 10, 2010

Motion approving the Mayor's reappointment of Michael Garcia to the Board of Appeals, for the term ending July 1, 2014.

August 10, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Avalos

File No. 100996

I hereby certify that the foregoing Motion was APPROVED on 8/10/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100998 MOTION NO. M10-128

[Reappointment, Entertainment Commission - John Newlin]

Motion approving the Mayor's nomination for reappointment of John Newlin to the Entertainment Commission, for the term ending July 1, 2014.

WHEREAS, Pursuant to Charter Section 4.117, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of John Newlin to the Entertainment Commission, received by the Clerk of the Board on July 20, 2010; and

WHEREAS, The Board of Supervisors has the authority to hold a public hearing and vote on the reappointment within sixty days following transmittal of the Mayor's Notice of Reappointment, and the failure of the Board to act on the nomination within the sixty day time period shall result in the nominee being deemed approved; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination for reappointment of John Newlin to the Entertainment Commission, for the term ending July 1, 2014.

Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

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City and County of San Francisco
Tails
Motion: M10-128

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100998 **Date Passed:** August 10, 2010

Motion approving the Mayor's nomination for reappointment of John Newlin to the Entertainment Commission, for the term ending July 1, 2014.

August 10, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Avalos

File No. 100998

I hereby certify that the foregoing Motion was APPROVED on 8/10/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101069 MOTION NO. M10-129

[Waiving Board Rule 4.29 of the Rules of Order to Schedule Public Hearing(s) on Appeal(s) at 2:30 p.m. instead of 4:00 p.m. at the September 7, 2010, Board Meeting]

Motion waiving Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. rather than 4:00 p.m. at the September 7, 2010, Board meeting.

MOVED, That the Board of Supervisors waives rule 4.29 of the Board Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. rather than 4:00 p.m. at the September 7, 2010, Board meeting.

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City and County of San Francisco
Tails
Motion: M10-129

City Hall
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San Francisco, CA 94102-4689

File Number: 101069 **Date Passed:** August 10, 2010

Motion waiving Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. rather than 4:00 p.m. at the September 7, 2010, Board meeting.

August 10, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Avalos

File No. 101069

I hereby certify that the foregoing Motion was APPROVED on 8/10/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101078 **MOTION NO.** M10-130

[Final Map 3668 – 805 Rutland Street and 199 Leland Avenue]

Motion approving Final Map 3668, a Six Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 805 Rutland Street and 199 Leland Avenue being a subdivision of Lot 016 in Assessors Block No. 6251 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 3668", comprising 3 sheets, approved July 6, 2010, by Department of Public Works Order No. 178, 751 is hereby approved and said map is adopted as an Official Final Map 3668; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated September 12, 2006, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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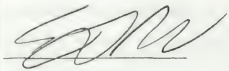
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco

Tails

Motion: M10-130

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101078 **Date Passed:** August 10, 2010

Motion approving Final Map 3668, a Six Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 805 Rutland Street and 199 Leland Avenue being a subdivision of Lot No. 016 in Assessors Block No. 6251 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

August 10, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Avalos

File No. 101078

I hereby certify that the foregoing Motion was APPROVED on 8/10/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101080 **MOTION NO.** M10-131

[Final Map 5785 – 5800 Third Street]

Motion approving Final Map 5785, a Three Lot Subdivision, Lot 1 being a 142 Unit Mixed-Use Condominium Project and Lot 2 being a 102 Unit Residential Condominium Project, located at 5800 Third Street being a subdivision of Lot 001 in Assessors Block No. 5431A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 5785", comprising 4 sheets, approved July 26, 2010, by Department of Public Works Order No. 178, 783 is hereby approved and said map is adopted as an Official Final Map 5785; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated October 27, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the San Francisco Redevelopment Agency recommending that the City approve the subject Final Map, by its letter dated November 13, 2009; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

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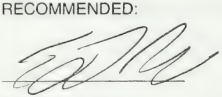
FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

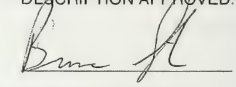
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion: M10-131

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101080 **Date Passed:** August 10, 2010

Motion approving Final Map 5785, a Three Lot Subdivision, Lot 1 being a 142 Unit Mixed-Use Condominium Project and Lot 2 being a 102 Unit Residential Condominium Project, located at 5800 Third Street being a subdivision of Lot No. 001 in Assessors Block No. 5431A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

August 10, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Avalos

File No. 101080

I hereby certify that the foregoing Motion was APPROVED on 8/10/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101000 MOTION NO. M10-132

[Appointment – Veterans Affairs Commission]

Motion appointing Anthony Alfidi, term ending January 31, 2012, to the Veterans Affairs Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as member of the Veterans Affairs Commission, pursuant to the provisions of the San Francisco Administrative Code, Section 5.102, for the term specified:

Anthony Alfidi, succeeding Wallace Levin, resigned, seat 3, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2014.

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Tails

Motion: M10-132

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101000 **Date Passed:** September 14, 2010

Motion appointing Anthony Alfidi, term ending January 31, 2012, to the Veterans Affairs Commission.

September 14, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101000

I hereby certify that the foregoing Motion was APPROVED on 9/14/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101028 MOTION NO. M10-133

[Affirming the Certification of the 935-965 Market Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 935-965 Market Street Project.

WHEREAS, The Project Sponsor proposes to demolish three existing mixed-use commercial and office buildings and construct a new five-story, approximately 90-foot tall building, containing approximately 375,700 gross square feet and approximately 188 off-street parking spaces in a two-story underground garage, with three levels below grade, one for retail use and the other two for parking, at 935-965 Market Street, between Fifth and Sixth Streets (the "Project") within the C-3-G (Downtown General Commercial) and C-3-R (Downtown Retail) Zoning Districts and a 120-X Height and Bulk District; and

WHEREAS, The Project Sponsor applied for environmental review for the Project and for approvals under Planning Code Section 309, including an exception for off-street loading, a Variance of Code standards for gross floor area calculation for floors over 15 feet average height and to allow two over-sized openings, and Conditional Uses authorization for off-street parking in excess of accessory amounts and the demolition of a movie theater use (Application No. 2005.1074!EEK); and

WHEREAS, The Planning Department ("Department") determined that an Environmental Impact Report ("EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on October 1, 2008; and

WHEREAS, On November 4, 2009, the Department published the Draft Environmental Impact Report ("DEIR"); and

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WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR on December 10, 2009, at which time public comment was received on the DEIR and written comments were received through September 15, 2009; and

WHEREAS, The Department prepared responses to comments received at the public hearing and in writing during the public review period for the DEIR, prepared revisions to the text of the DEIR and published a Draft Comments and Responses document on May 12, 2010; and

WHEREAS, A Final Environmental Impact Report (FEIR) was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Draft Comments and Responses document, all as required by law; and

WHEREAS, On July 8, 2010, the Commission reviewed and considered the FEIR and, by Motion No. 18135, found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18135, the Commission found the FEIR reflected the independent judgment and analysis of the Department and Commission, was adequate, accurate and objective, and that the Comments and Responses document contained no significant revisions to the DEIR and certified the FEIR, finding that the Project described in the FEIR will have a project-specific significant and unavoidable effect on the environment through a traffic impact at the intersection of Fifth and Stevenson Streets, and contribute to significant and unavoidable cumulative impacts through a cumulative considerable contribution to 2030 cumulative traffic increases at the intersections of Fifth and Stevenson

Streets and Fifth and Mission Streets, and a cumulatively considerable contribution to a green house gas air quality impact; and

WHEREAS, By Motion No. 18135, the Commission approved the Project, adopting CEQA findings related to the Project approvals, including a statement of overriding consideration, and adopting a Mitigation Monitoring and Reporting Program for the Project.

WHEREAS, On July 28, 2010, Arthur D. Levy, on behalf of Livable City, Walk San Francisco, filed an appeal of the FEIR with the Clerk of the Board of Supervisors; and.

WHEREAS, The Board of Supervisors held a public hearing on the Project to review the decision by the Planning Commission to certify the FEIR; and

WHEREAS, The Board has reviewed and considered the FEIR, the appeal letter(s), the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Commission, and the public, which files are available for public review by appointment at the Department offices at 1650 Mission Street, and are part of the record before the Board of Supervisors; now therefore be it,

MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the FEIR; and be it

FURTHER MOVED, That after carefully considering the appeal of the FEIR, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors, this Board hereby affirms the decision of the Planning Commission in its Motion No. 18135 to certify the FEIR and finds the FEIR to be complete,

adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA, the State CEQA Guidelines, and Administrative Code Chapter 31.

City and County of San Francisco
Tails
Motion: M10-133

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101028 **Date Passed:** September 14, 2010

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 935-965 Market Street Project.

September 14, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell and Mirkarimi
Absent: 2 - Alioto-Pier and Elsbernd

File No. 101028

I hereby certify that the foregoing Motion was APPROVED on 9/14/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101130 MOTION NO. M10-135

[Final Map 5045 – 575 Sutter Street]

Motion approving Final Map 5045, a 14 Commercial Unit Condominium Project, located at 535 Sutter Street being a subdivision of Lot 013 in Assessors Block No. 0296 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5045", comprising 2 sheets, approved August 25, 2010, by Department of Public Works Order No. 178, 834 is hereby approved and said map is adopted as an Official Final Map 5045; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated April 17, 2008, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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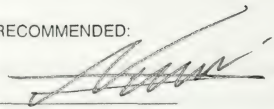
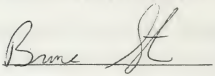
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion: M10-135

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101130 **Date Passed:** September 14, 2010

Motion approving Final Map 5045, a 14 Commercial Unit Condominium Project, located at 535 Sutter Street being a subdivision of Lot No. 013 in Assessors Block No. 0296 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

September 14, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell and Mirkarimi

Absent: 2 - Alioto-Pier and Elsbernd

File No. 101130

I hereby certify that the foregoing Motion was APPROVED on 9/14/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101181 MOTION NO. M10-136

[Committee of the Whole - September 28, 2010 - Hearing on the Historic Preservation Commission's Certification of Appropriateness for Alterations to the Board of Supervisors' Legislative Chamber]

Motion to sit as a Committee of the Whole for hearing on the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0667A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place to be held on September 28, 2010.

MOVED, That the Board of Supervisors convene as a Committee of the Whole to consider the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0667A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place on September 28, 2010.

Clerk of the Board
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Motion: M10-136

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101181 **Date Passed:** September 28, 2010

Motion to sit as a Committee of the Whole for a hearing on the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0667A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place, to be held on September 28, 2010.

September 28, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 1 - Mirkarimi

File No. 101181

I hereby certify that the foregoing Motion was APPROVED on 9/28/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101183 MOTION NO. M10-137

[Approving the Historic Preservation Commission's Approval for Certificate of Appropriateness Regarding the Alterations of the Board of Supervisors' Legislative Chamber]

Motion approving the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0677A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place.

MOVED, That the decision of the Historic Preservation Commission by its Motion No 0079 (Case No. 2010.0677A) dated September 15, 2010, approving Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities, located at:

1 Dr. Carlton B. Goodlett Place (City Hall);
Lot No. 001 in Assessor's Block No. 0787.

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City and County of San Francisco
Tails
Motion: M10-137

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101183 **Date Passed:** September 28, 2010

Motion approving the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0677A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place.

September 28, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar and Maxwell
Noes: 1 - Daly
Excused: 1 - Mirkarimi

File No. 101183

I hereby certify that the foregoing Motion was APPROVED on 9/28/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101207 MOTION NO. M10-138

[Committee of the Whole - Public Hearing to Renew/Re-Establish the 2500 Block of Mission Street Business Improvement District, to be Known as the Mission Miracle Mile Business Improvement District]

Motion to sit as a Committee of the Whole to hold a public hearing on October 5, 2010, to consider adopting a Resolution to renew and re-establish the 2500 Block of Mission Street Business Improvement District, to now be known as the Mission Miracle Mile Business Improvement District.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on October 5, 2010, at 3:00 p.m. to conduct a public hearing on a Resolution to renew and re-establish the 2500 Block of Mission Street Business Improvement District, to now be known as the Mission Miracle Mile Business Improvement District.

SUPERVISOR CAMPOS
BOARD OF SUPERVISORS

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City and County of San Francisco
Tails
Motion: M10-138

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101207 **Date Passed:** September 28, 2010

Motion to sit as a Committee of the Whole to hold a public hearing on October 5, 2010, to consider adopting a Resolution to renew and re-establish the 2500 Block of Mission Street Business Improvement District, to now be known as the Mission Miracle Mile Business Improvement District.

September 28, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 1 - Mirkarimi

File No. 101207

I hereby certify that the foregoing Motion was APPROVED on 9/28/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101189 MOTION NO. M10-139

[Final Map 5679: 531 – 545 Octavia Street]

Motion approving Final Map 5679, a five Lot Airspace Subdivision Project, located at 531 – 545 Octavia Street being a subdivision of Lot No. 001B in Assessors Block No. 0807 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 5679", comprising 4 sheets, approved September 2, 2010, by Department of Public Works Order No. 178, 843 is hereby approved and said map is adopted as an Official Final Map 5679; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated August 14, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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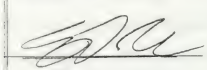
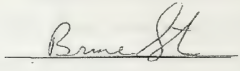
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion: M10-139

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101189 **Date Passed:** September 28, 2010

Motion approving Final Map 5679, a five Lot Airspace Subdivision Project, located at 531 - 545 Octavia Street being a subdivision of Lot No. 001B in Assessors Block No. 0807 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

September 28, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 1 - Mirkarimi

File No. 101189

I hereby certify that the foregoing Motion was APPROVED on 9/28/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100906 MOTION NO. M10-140

[Appointment, Police Commission – R. James Slaughter]

Motion confirming the Mayor's nomination of, and appointing, R. James Slaughter to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2012.

MOVED, that the Board of Supervisors of the City and County of San Francisco hereby confirms the Mayor's nomination of, and appoints, R. James Slaughter to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2012, consistent with Section 4.109 of the City Charter.

R. James Slaughter, succeeding David Onek, term expired, seat 5, must be nominated by the Mayor or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a four-year term ending April 30, 2012.

Mayor Gavin Newsom
BOARD OF SUPERVISORS

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City and County of San Francisco
Tails
Motion: M10-140

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100906 **Date Passed:** October 05, 2010

Motion confirming the Mayor's nomination of, and appointing, R. James Slaughter to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2012.

October 05, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Daly

File No. 100906

I hereby certify that the foregoing Motion was APPROVED on 10/5/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100776 MOTION NO. M10-141

[Reappointment, Planning Commission - Gwyneth Borden]

Motion approving the Mayor's reappointment of Gwyneth Borden to the Planning Commission term ending July 1, 2014.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor's has submitted a communication notifying the Board of Supervisors of the nomination of Gwyneth Borden to the Planning Commission, received by the Clerk of the Board on September 2, 2010; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Gwyneth Borden to the Planning Commission term ending July 1, 2014.

Clerk of the Board
BOARD OF SUPERVISORS

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City and County of San Francisco
Tails
Motion: M10-141

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100776 **Date Passed:** October 05, 2010

Motion approving the Mayor's reappointment of Gwyneth Borden to the Planning Commission term ending July 1, 2014.

October 05, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100776

I hereby certify that the foregoing Motion was APPROVED on 10/5/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101032 MOTION NO. M10-142

[Affirming the Certification of the 222-2nd Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 222-2nd Street Project.

WHEREAS, The Project Sponsor proposes to demolish the existing surface parking lot and the existing loading dock on the adjacent property, and construct a 26-story, 350-foot tall office building containing approximately 430,650 gross square feet of office space, approximately 5,000 square feet of ground floor retail space, approximately 28,000 square feet of subterranean parking area, and approximately 8,600 square feet of publicly-accessible open space at 222-2nd Street, at Howard Street, (the "Project"), within the C-3-O(SD) District and a 350-S/150-S Height and Bulk Districts; and

WHEREAS, The Project Sponsor applied for environmental review for the Project and for approvals under Planning Code Section 309, with exceptions to the requirements for sunlight access to public sidewalks in C-3 Districts (Planning Code Section 146), reduction of ground-level wind currents in C-3 Districts (Section 148), and bulk limits (Sections 270, 272), as well as a General Plan amendment and amendments to height and bulk classifications (Application No. 2006.1106BMXZ); and

WHEREAS, On January 27, 2010, the Department published the Draft Environmental Impact Report ("DEIR"); and

WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR on March 4, 2010, at which time public comment was received on the DEIR and written comments were received through March 25, 2010; and

WHEREAS, The Department prepared responses to comments received at the public hearing and in writing during the public review period for the DEIR, prepared revisions to the

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text of the DEIR and published a Draft Comments and Responses document on July 8, 2010; and

WHEREAS, A Final Environmental Impact Report (FEIR) was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Draft Comments and Responses document, all as required by law; and

WHEREAS, On August 12, 2010, the Commission reviewed and considered the FEIR and, by Motion No.18166, found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18166, the Commission found the FEIR reflected the independent judgment and analysis of the Department and Commission, was adequate, accurate and objective, and that the Comments and Responses document contained no significant revisions to the DEIR and certified the FEIR, finding that the Project described in the FEIR will have a project-level significant and unavoidable traffic impact at the intersection of Harrison and Second Streets, and would contribute considerably to a significant and unavoidable cumulative impact at the intersections of Howard and Third Streets, Howard and New Montgomery Streets, Folsom and Second Streets and Harrison and Second Streets; and

WHEREAS, By Motion No. 18166, the Commission approved the Project, adopting CEQA findings related to the Project approvals, including a statement of overriding consideration, and adopting a Mitigation Monitoring and Reporting Program for the Project;

WHEREAS, On September 1, 2010, Sue Hestor, on behalf of 246-2nd Street Owners Association, filed an appeal of the FEIR with the Clerk of the Board of Supervisors; and,

WHEREAS, The Board of Supervisors held a public hearing on the Project to review the decision by the Planning Commission to certify the FEIR; and

WHEREAS, The Board has reviewed and considered the FEIR, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Commission, and the public, which files are available for public review by appointment at the Department offices at 1650 Mission Street, and are part of the record before the Board of Supervisors; now therefore be it,

MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the FEIR; and be it

FURTHER MOVED, That after carefully considering the appeal of the FEIR, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors, this Board hereby affirms the decision of the Planning Commission in its Motion No. 18166 to certify the FEIR and finds the FEIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA, the State CEQA Guidelines, and Administrative Code Chapter 31.

City and County of San Francisco
Tails
Motion: M10-142

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101032 **Date Passed:** October 05, 2010

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 222-2nd Street Project.

September 28, 2010 Board of Supervisors - CONTINUED

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 1 - Mirkarimi
Absent: 1 - Avalos

October 05, 2010 Board of Supervisors - APPROVED

Ayes: 7 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell and Mirkarimi
Noes: 4 - Avalos, Campos, Daly and Mar

File No. 101032

I hereby certify that the foregoing Motion was APPROVED on 10/5/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101137

MOTION NO. M10-143

[Disapproving Planning Commission Decision Related to Conditional Use Appeal for 1268 Grant Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 18160, approving Conditional Use Application No. 2010.0438C on property located at 1268 Grant Avenue, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission's August 5, 2010, Conditional Use Authorization identified as Planning Case No. 2010.0438C by its Motion No. 18160 under Planning Code Section 790.38, to allow an Other Entertainment use, in an existing restaurant and bar (dba King of Thai Noodle House) within the North Beach Neighborhood Commercial District (NCD), the 40-X Height and Bulk District, and the North Beach Special Use District (SUD), on property located at:

1268 Grant Avenue, Lot No. 032, in Assessor's Block No. 0145,

be and the same is disapproved.

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City and County of San Francisco
Tails
Motion: M10-143

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101137 **Date Passed:** October 05, 2010

Motion disapproving decision of the Planning Commission by its Motion No. 18160, approving Conditional Use Application No. 2010.0438C on property located at 1268 Grant Avenue, and adopting findings pursuant to Planning Code Section 101.1.

October 05, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101137

I hereby certify that the foregoing Motion was APPROVED on 10/5/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101138

MOTION NO. M10-144

[Preparation of Findings Related to the Conditional Use Appeal for 1268 Grant Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2010.0438C on property located at 1268 Grant Avenue.

IT IS HEREBY MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2010.0438C, on property located at 1268 Grant Avenue.

Clerk of the Board
BOARD OF SUPERVISORS

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City and County of San Francisco
Tails
Motion: M10-144

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101138 **Date Passed:** October 05, 2010

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2010.0438C on property located at 1268 Grant Avenue.

October 05, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101138

I hereby certify that the foregoing Motion was APPROVED on 10/5/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101186 MOTION NO. M10-145

[Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map for 0 Los Palmos Drive (Vacant) and 795 Foerster Street]

Motion approving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Parcel Map for a 4-lot subdivision located at 0 Los Palmos Drive (vacant), Assessor's Block No. 3027A, Lot No. 116; and 795 Foerster Street, Assessor's Block No. 3027A, Lot No. 117.

WHEREAS, The Planning Department found the subject Tentative Map in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.) and found it consistent with the City's General Plan and priority policy findings of Planning Code Section 101.1. Said determination is on file with the Clerk of the Board of Supervisors in File No. 101185 and is incorporated herein by reference; and,

WHEREAS, The Department of Public Works, in a decision dated September 7, 2010, approved a Tentative Parcel Map for a 4-lot subdivision at 0 Los Palmos Drive (vacant), Assessor's Block No. 3027A, Lot No. 116; and 795 Foerster Street, Assessor's Block No. 3027A, Lot No. 117. Said determination is on file with the Clerk of the Board of Supervisors in File No. 101185 and is incorporated herein by reference; and,

WHEREAS, On September 12, 2010, Sina Tarassoly filed a timely appeal to the decision of the Department of Public Works; and,

WHEREAS, On October 5, 2010, this Board held a duly noticed public hearing to consider the appeal of the Tentative Parcel Map filed by Appellant; and,

WHEREAS, This Board has reviewed and considered the subject Map, the appeal letter, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the subject Map; now, therefore, be it

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MOVED, That the Board hereby adopts as its own the Planning Department's findings of consistency with the General Plan and Planning Code Section 101.1 concerning a Tentative Parcel Map at 0 Los Palmos Drive (vacant), Assessor's Block No. 3027A, Lot No. 116; and 795 Foerster Street, Assessor's Block No. 3027A, Lot No. 117; and, be it

FURTHER MOVED, That the Board approves the decision of the Department of Public Works concerning the Tentative Parcel Map and hereby approves said Map.

City and County of San Francisco
Tails
Motion: M10-145

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101186 **Date Passed:** October 05, 2010

Motion approving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Parcel Map for a 4-lot subdivision located at 0 Los Palmos Drive (vacant), Assessor's Block No. 3027A, Lot No. 116; and 795 Foerster Street, Assessor's Block No. 3027A, Lot No. 117.

October 05, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell and Mirkarimi
Excused: 1 - Elsbernd

File No. 101186

I hereby certify that the foregoing Motion was APPROVED on 10/5/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101133 MOTION NO. M10-146

[Appointments – Assessment Appeals Board No. 1]

Motion appointing Jeffrey Morris and Gregory Blaine, terms ending September 2, 2013, to Assessment Appeals Board No. 1.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of Assessment Appeals Board No. 1, pursuant to the provisions of the Revenue and Taxation Code, Section 1623, and the San Francisco Administrative Code, Sections 2B.1 through 2B.11, for the terms specified:

Jeffrey Morris, seat 1, succeeding himself, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board. *Pursuant to Section 1623 the three year term will end on the first Monday in September, for a three-year term ending September 2, 2013.

Gregory Blaine, seat 4, succeeding himself, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate

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Appraisers; or he or she is a current member of an assessment appeals board. *Pursuant to Section 1623 the three year term will end on the first Monday in September, for a three-year term ending September 2, 2013.

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion: M10-146

File Number: 101133 **Date Passed:** October 19, 2010

Motion appointing Jeffrey Morris and Gregory Blaine, terms ending September 2, 2013, to the Assessment Appeals Board No. 1.

September 30, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

September 30, 2010 Rules Committee - RECOMMENDED..

October 19, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101133

I hereby certify that the foregoing Motion was APPROVED on 10/19/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101134 **MOTION NO.** M10-147

[Appointments – Assessment Appeals Board No. 2]

Motion appointing Margaret Ruxton and Alfredo Perez, terms ending September 2, 2013, to Assessment Appeals Board No. 2.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of Assessment Appeals Board No. 2, pursuant to the provisions of the Revenue and Taxation Code, Section 1623, and the San Francisco Administrative Code, Sections 2B.12 through 2B.19, for the terms specified:

Margaret Ruxton, seat 2, succeeding herself, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board. *Pursuant to Section 1623 the three year term will end on the first Monday in September, for a three-year term ending September 2, 2013.

Alfredo Perez, seat 4, succeeding himself, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or

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she is a current member of an assessment appeals board. *Pursuant to Section 1623 the three year term will end on the first Monday in September, for a three-year term ending September 2, 2013.

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San Francisco, CA 94102-4689

Motion: M10-147

File Number: 101134 **Date Passed:** October 19, 2010

Motion appointing Margaret Ruxton and Alfredo Perez, terms ending September 2, 2013, to the Assessment Appeals Board No. 2.

September 30, 2010 Rules Committee - RECOMMENDED..

October 19, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101134

I hereby certify that the foregoing Motion was APPROVED on 10/19/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101146 MOTION NO. M10-148

[Appointment - Commission on the Aging Advisory Council]

Motion appointing Ken Prag, term ending March 31, 2012, to the Commission on the Aging Advisory Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Commission on the Aging Advisory Council, pursuant to the provisions of San Francisco Administrative Code, Section 5.54, for the term specified:

Ken Prag, succeeding himself, term expired, must be a nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending March 31, 2012.

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Motion: M10-148

File Number: 101146 **Date Passed:** October 19, 2010

Motion appointing Ken Prag, term ending March 31, 2012, to the Commission on the Aging Advisory Council.

September 30, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

September 30, 2010 Rules Committee - RECOMMENDED..

October 19, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101146

I hereby certify that the foregoing Motion was APPROVED on 10/19/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101243 MOTION NO. M10-149

[Appointments - Treasure Island Development Authority Citizens Advisory Board]

Motion appointing James Heid and Scott Vedro, for indefinite terms, to the Treasure Island Development Authority Citizens Advisory Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Treasure Island Development Authority Citizens Advisory Board pursuant to the provisions of San Francisco Board of Supervisors Resolution Nos. 89-99 and 145-05, for the terms specified:

James Heid, seat 2, succeeding Stephen Mattoon, resigned, must meet any of the following: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs, representative of public safety officers on Treasure Island; representative of Treasure Island Homeless Development Initiative; representative of Job Corps; representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for a term indefinite.

Scott Vedro, seat 11, succeeding Elizabeth Strahlstrom, resigned, must meet any of the following qualification: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job

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generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of Treasure Island Homeless Development Initiative; representative of Job Corps; representative of Treasure Island Elementary School; representative of film production industry; or representative of residential tenants on Treasure Island, for a term indefinite.

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San Francisco, CA 94102-4689

Motion: M10-149

File Number: 101243 **Date Passed:** October 19, 2010

Motion appointing James Heid and Scott Vedro, for indefinite terms, to the Treasure Island Development Authority Citizen Advisory Board.

October 07, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 07, 2010 Rules Committee - RECOMMENDED..

October 19, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101243

I hereby certify that the foregoing Motion was APPROVED on 10/19/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101264 MOTION NO. M10-150

[Appointments, San Francisco Health Authority]

Motion appointing Randall Low, term ending January 15, 2012, and Maria Luz Torre, term ending January 15, 2013, to the San Francisco Health Authority.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the San Francisco Health Authority, pursuant to the provisions in the Welfare and Institutions Code Section 14087.36 and the San Francisco Administrative Code Sections 69.1 et seq., for the terms specified:

Randall Low, seat 7, succeeding himself, term expired, must be a physician, and nominee of SF Medical Society, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2012.

Maria Luz Torre, seat 10, succeeding herself, term expired, must be a nominee of the Health Authority Beneficiary Advisory Committee who shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three-year term ending January 15, 2013.

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Motion: M10-150

File Number: 101264 **Date Passed:** October 19, 2010

Motion appointing Randall Low, term ending January 15, 2012, and Maria Luz Torre, term ending January 15, 2013, to the San Francisco Health Authority.

October 07, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 07, 2010 Rules Committee - RECOMMENDED..

October 19, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101264

I hereby certify that the foregoing Motion was APPROVED on 10/19/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100778 MOTION NO. M10-151

[Reappointment, Public Utilities Commission - Anson Moran]

Motion confirming the Mayor's reappointment of Anson Moran to the Public Utilities Commission, Seat 4, term ending August 1, 2014.

WHEREAS, Pursuant to Charter Section 4.112, the Mayor has submitted a communication notifying the Board of Supervisors of the reappointment of Anson Moran to the Public Utilities Commission, received by the Clerk of the Board on August 9, 2010; now, therefore, be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's reappointment of Anson Moran to the Public Utilities Commission, Seat 4, must be a member with expertise in water systems, power systems, or public utility management, term ending August 1, 2014

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Motion: M10-151

File Number: 100778 **Date Passed:** October 19, 2010

Motion confirming the Mayor's reappointment of Anson Moran to the Public Utilities Commission, Seat 4, term ending August 1, 2014.
(Charter Section 4.112(a) provides that the Board of Supervisors shall confirm appointment by a majority (six votes) of the Board of Supervisors; companion measure to File 100779. Transmittal date - August 9, 2010.)

October 07, 2010 Rules Committee - RECOMMENDED

October 19, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100778

I hereby certify that the foregoing Motion was APPROVED on 10/19/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100905 MOTION NO. M10-152

[Appointment, Redevelopment Agency – Rosario Anaya]

Motion confirming the Mayor's appointment of Rosario Anaya to the San Francisco Redevelopment Agency for the unexpired portion of a four-year term ending September 3, 2011.

MOTION, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointment by the Mayor of the following designated person as member of the San Francisco Redevelopment Agency, pursuant to Section 33110 of the California Health and Safety Code, for the term specified:

Rosario Anaya, succeeding London Breed, to serve for the unexpired portion of a four-year term ending September 3, 2011.

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Motion: M10-152

File Number: 100905 **Date Passed:** October 19, 2010

Motion confirming the Mayor's appointment of Rosario Anaya to the San Francisco Redevelopment Agency for the unexpired portion of a four-year term ending September 3, 2011.

October 07, 2010 Rules Committee - RECOMMENDED

October 19, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100905

I hereby certify that the foregoing Motion was APPROVED on 10/19/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101261 MOTION NO. M10-153

[Appointment, Association of Bay Area Governments Executive Board – Supervisor Eric Mar]

Motion appointing Supervisor Eric Mar, term ending June 30, 2012, to the Association of Bay Area Governments Executive Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as member of the Executive Board Association of Bay Area Governments, for the term specified:

Supervisor Eric Mar, seat 5, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2012.

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Motion: M10-153

File Number: 101261 **Date Passed:** October 19, 2010

Motion appointing Supervisor Eric Mar, term ending June 30, 2012, to the Association of Bay Area Governments Executive Board.

October 07, 2010 Rules Committee - RECOMMENDED

October 19, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Maxwell and Mirkarimi
Excused: 1 - Mar

File No. 101261

I hereby certify that the foregoing Motion was APPROVED on 10/19/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101277 MOTION NO. M10-154

[Waiver Permitting City Employees to Assist the Department of Elections with the November 2, 2010, Consolidated General Election]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 2, 2010, Consolidated General Election.

WHEREAS, San Francisco Charter section 13.104.5 prohibits City employees and officers (other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission) from performing "any function relating to the conduct of an election;" and,

WHEREAS, Charter section 13.104.5 authorizes the Board of Supervisors, upon the request of the Elections Commission, to waive this prohibition by motion; and,

WHEREAS, On September 15, 2010, the Elections Commission requested that the Board of Supervisors waive this prohibition to permit City employees to assist the Department of Elections with the November 2, 2010, election; now, therefore, be it

MOVED, the Board of Supervisors waives the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections before, during, and after the November 2, 2010, election.

Supervisor David Chiu

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Motion: M10-154

File Number: 101277 **Date Passed:** October 19, 2010

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 2, 2010, Consolidated General Election.

October 19, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101277

I hereby certify that the foregoing Motion was APPROVED on 10/19/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101292 MOTION NO. M10-155

[Appointments – Immigrant Rights Commission]

Motion appointing Vera Haile, Samer Danfoura, Teresa Chee, and Elahe Enssani, terms ending June 6, 2012, to the Immigrant Rights Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Immigrant Rights Commission, pursuant to the provisions of Ordinance No. 211-97, for the terms specified:

Vera Haile, seat 1, succeeding herself, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2012.

Samer Danfoura, seat 3, succeeding Solomon Jones, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2012.

Teresa Chee, seat 5, succeeding Joaquin Gonzalez, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2012.

Elahe Enssani, seat 9, succeeding herself, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2012.

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Motion: M10-155

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File Number: 101292 **Date Passed:** November 02, 2010

Motion to appointing Vera Haile, Samer Danfoura, Teresa Chee, and Elahe Enssani, terms ending June 6, 2012, to the Immigrant Rights Commission.

October 21, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 21, 2010 Rules Committee - RECOMMENDED.

November 02, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101292

I hereby certify that the foregoing Motion was APPROVED on 11/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101293 MOTION NO. M10-156

[Appointment - Commission on the Aging Advisory Council]

Motion appointing Catherine Rose Russo, term ending March 31, 2012, to the Commission on the Aging Advisory Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Commission on the Aging Advisory Council, pursuant to the provisions of San Francisco Administrative Code, Section 5.54, for the term specified:

Catherine Rose Russo, seat 6, succeeding herself, term expired, must be nominee of District 7 Supervisor, for the unexpired portion of a two-year term ending March 31, 2012

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Motion: M10-156

City Hall
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File Number: 101293 **Date Passed:** November 02, 2010

Motion appointing Catherine Rose Russo, term ending March 31, 2012, to the Commission on the Aging Advisory Council.

October 21, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 21, 2010 Rules Committee - RECOMMENDED.

November 02, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101293

I hereby certify that the foregoing Motion was APPROVED on 11/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100899 MOTION NO. M10-157

[Appointment, Entertainment Commission]

Motion appointing Timothy Benetti, term ending July 1, 2014, to the Entertainment Commission.

WHEREAS, Pursuant to Charter Section 4.117, the Board of Supervisors shall appoint three members to the Entertainment Commission; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint Timothy Benetti to serve as its representative to the Entertainment Commission.

Timothy Benetti, succeeding Terrance Alan, seat 2, term expired, shall represent the interests of entertainment associations or groups, for the unexpired portion of a four-year term ending July 1, 2014.

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Motion: M10-157

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File Number: 100899 **Date Passed:** November 02, 2010

Motion appointing Timothy Benetti, term ending July 1, 2014, to the Entertainment Commission.

October 21, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 21, 2010 Rules Committee - RECOMMENDED..

November 02, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Mar, Maxwell and Mirkarimi
Noes: 2 - Daly and Elsbernd

File No. 100899

I hereby certify that the foregoing Motion was APPROVED on 11/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
Bearing New Title – 10/21/10

FILE NO. 100907 MOTION NO. M10-158

[Confirming the Appointments of Steven Jin Lee and Natividad M. Ramirez to the San Francisco Relocation Appeals Board]

Motion confirming the appointments of Steven Jin Lee and Natividad M. Ramirez to the San Francisco Relocation Appeals Board, terms ending January 2, 2012.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointments by the Mayor of the following designated persons as members of the San Francisco Relocation Appeals Board pursuant to Administrative Code §§24.7,24B.1(b) for the terms specified:

Steven Jin Lee reappointed to the same seat for the unexpired portion of a three-year term ending January 2, 2012.

Natividad Ramirez to fill the seat previously held by Albert Seto for the unexpired portion of a three-year term ending January 2, 2012.

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Motion: M10-158

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File Number: 100907 **Date Passed:** November 02, 2010

Motion confirming the appointments of Steven Jin Lee and Natividad M. Ramirez to the San Francisco Relocation Appeals Board, terms ending January 2, 2012.

October 21, 2010 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

October 21, 2010 Rules Committee - RECOMMENDED AS AMENDED

November 02, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100907

I hereby certify that the foregoing Motion was APPROVED on 11/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101234 MOTION NO. M10-159

[Confirming Reappointment, San Francisco Redevelopment Agency - Leroy King]

Motion confirming the reappointment of Leroy King to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2014.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointment by the Mayor of the following designated person as a member of the San Francisco Redevelopment Agency, pursuant to Section 33110 of the California Health and Safety Code, for the term specified:

Leroy King, reappointment, for a four-year term ending September 3, 2014.

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City and County of San Francisco
Tails
Motion: M10-159

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101234 **Date Passed:** November 02, 2010

Motion confirming the reappointment of Leroy King to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2014.

October 21, 2010 Rules Committee - RECOMMENDED

November 02, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101234

I hereby certify that the foregoing Motion was APPROVED on 11/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO.101353 MOTION NO. M10-160

[Committee of the Whole - Public Hearing to Establish the Ocean Avenue Community Benefits District]

Motion directing the Board of Supervisors to hold a public hearing on November 16, 2010, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to Establish the Ocean Avenue Community Benefits District.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on November 16, 2010, at 3:00 p.m. to conduct a public hearing on a Resolution to Establish the Ocean Avenue Community Benefits District.

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City and County of San Francisco
Tails
Motion: M10-160

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101353 **Date Passed:** November 02, 2010

Motion directing the Board of Supervisors to hold a public hearing on November 16, 2010, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to Establish the Ocean Avenue Community Benefits District.

November 02, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101353

I hereby certify that the foregoing Motion was APPROVED on 11/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101025 MOTION NO. M10-161

[Directing the Budget and Legislative Analyst's to Conduct Three Audits in FY2010-2011 and Setting Priorities]

Motion directing the Budget and Legislative Analyst to conduct three audits to evaluate (a) the City's policies and revenues for advertising on private property; (b) the financial impact to the City of the fiscal provisions of the City's Memoranda of Understanding with labor unions; and (c) the impact of hiring five new positions in the Assessor's Office on the property assessment backlog and property tax revenue.

WHEREAS, It is the policy of the Board of Supervisors that each program of the City and County of San Francisco be the subject of a performance audit at least once every eight years; and

WHEREAS, The function of regular audits is to ensure that City departments and agencies make prudent and efficient use of city resources and also effectively perform the functions assigned to them by the charter and applicable laws; now, therefore, be it

MOVED, That the Budget and Legislative Analyst is hereby directed as a first priority to audit the City's policies and revenues for advertising on public property, including evaluating (a) how City departments comply with City policies for advertising on City property, (b) the Municipal Transportation Agency, Airport, Recreation and Park Department, Convention Facilities, Planning Department or other City departments as applicable in their oversight of advertising or naming rights agreements and of general advertising on public property, and (c) the costs and benefits of current City practices; and recommend improvements to City practices for advertising on City property, and, be it

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FURTHER MOVED, That the Budget and Legislative Analyst is hereby directed as a second priority to evaluate the fiscal provisions of the Memoranda of Understanding between the City and the Labor Unions, including conferring with the Department of Human Resources and evaluating (a) how special fiscal provisions meet actual job needs, (b) the financial impact of automatic pay or benefit increases, (c) conformance of specific fiscal provisions to State and Federal laws and industry practices, and (d) consistency and equity of benefits among Labor Union bargaining units; and make findings and recommendations to the Board of Supervisors to establish policies and in consultation with the Mayor give direction to the Department of Human Resources in negotiating Memoranda of Understanding between the City and the Employee Unions; and, be it

FURTHER MOVED, That the Budget and Legislative Analyst is hereby directed as a third priority to evaluate the impact of five new positions in the Office of the Assessor-Recorder's FY 2009-10 budget on the Real Property Services Division staffing and workload; and the resulting reduction in the property assessment backlog and increase in property tax revenues.

City and County of San Francisco
Tails
Motion: M10-161

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101025 **Date Passed:** November 09, 2010

Motion directing the Budget and Legislative Analyst to conduct three audits to evaluate (a) the City's policies and revenues for advertising on private property; (b) the financial impact to the City of the fiscal provisions of the City's Memoranda of Understanding with labor unions; and (c) the impact of hiring five new positions in the Assessor's Office on the property assessment backlog and property tax revenue.

September 23, 2010 Government Audit and Oversight Committee - CONTINUED TO CALL OF THE CHAIR

October 14, 2010 Government Audit and Oversight Committee - PREPARED IN COMMITTEE AS A MOTION

October 14, 2010 Government Audit and Oversight Committee - CONTINUED TO CALL OF THE CHAIR

October 28, 2010 Government Audit and Oversight Committee - RECOMMENDED

November 09, 2010 Board of Supervisors - APPROVED

Ayes: 8 - Avalos, Campos, Chiu, Chu, Dufty, Mar, Maxwell and Mirkarimi

Noes: 3 - Alioto-Pier, Daly and Elsbernd

File No. 101025

I hereby certify that the foregoing Motion was APPROVED on 11/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101332 MOTION NO. M10-162

[Reappointment, Treasure Island Development Authority Board of Directors - Claudine Cheng]

Motion approving the Mayor's reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, received by the Clerk of the Board on October 12, 2010; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the reappointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Reappointment, and the failure of the Board to reject the reappointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as reappointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's reappointment to the Treasure Island Development Authority Board of Directors; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014.

Clerk of the Board
BOARD OF SUPERVISORS

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City and County of San Francisco
Tails
Motion: M10-162

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 101332 **Date Passed:** November 09, 2010

Motion approving the Mayor's reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014.

November 04, 2010 Rules Committee - REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT

November 09, 2010 Board of Supervisors - APPROVED

Ayes: 7 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Mar and Maxwell

Noes: 4 - Avalos, Campos, Daly and Mirkarimi

File No. 101332

I hereby certify that the foregoing Motion was APPROVED on 11/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101334 MOTION NO. M10-163

[Reappointment, Treasure Island Development Authority Board of Directors - John Elberling]

Motion approving the Mayor's reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, received by the Clerk of the Board on October 12, 2010; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the reappointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Reappointment, and the failure of the Board to reject the reappointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as reappointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's reappointment to the Treasure Island Development Authority Board of Directors; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014.

Clerk of the Board
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City and County of San Francisco
Tails
Motion: M10-163

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101334 **Date Passed:** November 09, 2010

Motion approving the Mayor's reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014.

November 04, 2010 Rules Committee - REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT

November 09, 2010 Board of Supervisors - APPROVED

Ayes: 7 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Mar and Maxwell

Noes: 4 - Avalos, Campos, Daly and Mirkarimi

File No. 101334

I hereby certify that the foregoing Motion was APPROVED on 11/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101336 MOTION NO. M10-164

[Appointment, Treasure Island Development Authority Board of Directors - Linda Richardson]

Motion approving the Mayor's appointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, received by the Clerk of the Board on October 12, 2010; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's appointment to the Treasure Island Development Authority Board of Directors; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014.

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Tails

Motion: M10-164

File Number: 101336 **Date Passed:** November 09, 2010

Motion approving the Mayor's appointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014.

November 04, 2010 Rules Committee - REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT

November 09, 2010 Board of Supervisors - APPROVED

Ayes: 7 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Mar and Maxwell

Noes: 4 - Avalos, Campos, Daly and Mirkarimi

File No. 101336

I hereby certify that the foregoing Motion was APPROVED on 11/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101338 MOTION NO. M10-165

[Reappointment, Treasure Island Development Authority Board of Directors - Jean-Paul Samaha]

Motion approving the Mayor's reappointment of Jean-Paul Samaha to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the reappointment of Jean-Paul Samaha to the Treasure Island Development Authority Board of Directors, received by the Clerk of the Board on October 12, 2010; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the reappointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Reappointment, and the failure of the Board to reject the reappointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as reappointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's reappointment to the Treasure Island Development Authority Board of Directors; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Jean-Paul Samaha to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014.

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Tails

Motion: M10-165

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 101338 **Date Passed:** November 09, 2010

Motion approving the Mayor's reappointment of Jean-Paul Samaha to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014.

November 04, 2010 Rules Committee - REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT

November 09, 2010 Board of Supervisors - APPROVED

Ayes: 7 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Mar and Maxwell

Noes: 4 - Avalos, Campos, Daly and Mirkarimi

File No. 101338

I hereby certify that the foregoing Motion was APPROVED on 11/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101376 Amended in Board 11/09/2010 MOTION NO. M10-166

[2011 Board of Supervisors Regular Meeting Schedule]

Motion establishing the 2011 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 18, February 22, May 31, July 5, October 11, and November 29; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 3 through September 2, 2011 and December 14 through December 30, 2011.

WHEREAS, The Board of Supervisors (Board) Rules of Order Section 6.2 states the Board shall hold a regular meeting in the Chamber in City Hall each week at 2:00 pm on Tuesday, unless it is a holiday, in which case the meeting shall be canceled; and

WHEREAS, The Rules of Order Section 6.2, also states the Board shall not meet during the week after Thanksgiving, nor between December 23 and December 30, inclusive, and the Board does not traditionally meet the week of December 24; and

WHEREAS, Similar to other sitting legislative bodies in the United States, the Board has established recess periods during the summer and winter which members of the Board may plan to be away, without missing any Board or Committee meetings or other important public business, and without causing difficulties in achieving a quorum; and

WHEREAS, The Board is constrained by certain administrative deadlines in relation to the passing of the 2011-2012 budget and may decide to meet on August 9 solely to consider an override vote should the Mayor veto the annual budget; now, therefore, be it

MOVED, That the following regular Tuesday Board meetings, following a Monday holiday be canceled: January 18 (Martin Luther King Jr. Day); February 22 (Presidents Day); May 31 (Memorial Day); July 5 (Independence Day); October 11 (Columbus Day); November 29 (Week after Thanksgiving); and, be it

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FURTHER MOVED, That pursuant to the established tradition of summer and winter recess periods, the Board and Committee meetings scheduled from August 3 through September 2, 2011, and December 14 through December 30, 2011, are canceled; and, be it

FURTHER MOVED, That in the event of a Mayoral veto of the 2011-2012 budget, the Board will conduct a meeting on August 9.

City and County of San Francisco
Tails
Motion: M10-166

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101376 **Date Passed:** November 09, 2010

Motion establishing the 2011 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 18, February 22, May 31, July 5, October 11, and November 29; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 3 through September 2, 2011, and December 14 through December 30, 2011.

November 09, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

November 09, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101376

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 11/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 100889 MOTION NO. M10-167

[Adopting Findings Related to the Conditional Use Appeal on Property Located at 1268 Grant Street]

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18160, approving Conditional Use Application 2010.0438C on property located at 1268 Grant Street.

WHEREAS, The Planning Commission issued a decision by Motion No. 18160 dated August 5, 2010, approving Conditional Use Application No. 2010.0438C under Planning Code sections 303 and 790.38, to allow an Other Entertainment use, in an existing restaurant and bar (dba King of Thai Noodle House) located at 1268 Grant Avenue, within the north Beach Neighborhood Commercial District (NCD), the 40-X Height and Bulk District, and the North Beach Special Use District (SUD), in Assessor's Block No. 0145, Lot No. 032; and

WHEREAS, said determination was timely appealed to the Board of Supervisors on September 7, 2010, by Vedica Puri, on behalf of the Telegraph Hill Dwellers, and subscribed by Supervisors Chiu, Avalos, Campos, Mar and Maxwell; and

WHEREAS, on by letter dated September 28, 2010, the Planning Department advised the Board that, "[i]t has come to the attention of the Planning Department that the project sponsor has violated previous Conditional Use Authorization(s) and Notice of Special Restrictions imposed on the property. As such, the Department is requesting that the Board of Supervisors disapprove this Conditional Use Authorization and allow the Planning Commission to re-hear this case so they can review all of the outstanding issues regarding this property."; and

WHEREAS, On October 5, 2010, the Board conducted a duly noticed public hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. During the hearing testimony and evidence was submitted demonstrating that as of

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2005, the property at 1268 Grant Avenue was subject to a Notice of Special Restriction (NSR) such that the NSR demonstrated floor plans that delineated the areas dedicated to white-cloth table service, bar areas and office/management areas. The evidence demonstrated that in 2008 the property changed ownership and the uses in the building remained a full-service restaurant and associated bar use on the first and second floors. In 2010 the project sponsor applied for Conditional Use Authorization to install an "Other Entertainment" use at the ground floor restaurant and bar. At an August 5, 2010, public hearing the Planning Commission granted a Conditional Use Authorization pursuant to Section 722.48 for an "Other Entertainment" use consisting of the installation of a karaoke machine on the ground floor in the bar at the subject property. When the appeal of the Conditional Use was filed with the Board of Supervisors, the Planning Department, on September 28, 2010 conducted a site visit and determined that the current owners had intensified the bar use on the second floor without benefit of a Conditional Use Authorization. The testimony demonstrated that the property was advertised as a "sports bar", had signage indicating it was a "sports bar", and that the second floor was utilized as a full service customer-serving bar for patrons. During the hearing, the Planning Department advised the Board that it believed the Planning Commission should have all of the necessary information in front of them when deciding whether to grant a Conditional Use Authorization for an Other Entertainment use at 1268 Grant Avenue and requested the Board disapprove the Conditional Use Authorization granted on August 5, 2010, and request that the Planning Commission re-hear the item with all of the new information ; and

WHEREAS, Following the conclusion of the public hearing on October 5, and based on all the evidence in the record, including public and staff testimony, the Board disapproved the decision of the Planning Commission (Planning Commission Motion No. 18160 dated August 5, 2010) thereby rejecting the Conditional Use Authorization No. 2010.0438C, finding that the Conditional Use Authorization had been issued in error because the Planning Commission

had not been fully informed of the current, and unauthorized, site use and use history; now therefore be it

MOVED, That the Board of Supervisors hereby adopts these findings in support of its decision of October 5, 2010, to reject the Conditional Use Authorization No. 2010.0438C for 1268 Grant Street.

City and County of San Francisco
Tails
Motion: M10-167

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 100889 **Date Passed:** November 16, 2010

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18160, approving Conditional Use Application 2010.0438C on property located at 1268 Grant Street.

November 16, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell and Mirkarimi
Absent: 1 - Elsbernd

File No. 100889

I hereby certify that the foregoing Motion was APPROVED on 11/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101220 MOTION NO. M10-168

[Appointment, San Francisco Public Utilities Commission - Art Torres]

Motion confirming the Mayor's appointment of Art Torres to the San Francisco Public Utilities Commission, Seat 2, for the term ending August 1, 2014.

WHEREAS, Pursuant to Charter Section 4.112, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Art Torres to the San Francisco Public Utilities Commission, received by the Clerk of the Board on September 17, 2010; now, therefore, be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of Art Torres to the San Francisco Public Utilities Commission, Seat 2, must be a member with experience in ratepayer or consumer advocacy, for a four-year term ending August 1, 2014

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City and County of San Francisco
Tails
Motion: M10-168

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101220 **Date Passed:** November 16, 2010

Motion confirming the Mayor's appointment of Art Torres to the San Francisco Public Utilities Commission, Seat 2, for the term ending August 1, 2014.

November 04, 2010 Rules Committee - RECOMMENDED

November 16, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101220

I hereby certify that the foregoing Motion was APPROVED on 11/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101347 MOTION NO. M10-169

[Confirming Appointments, Treasure Island Development Authority Board of Directors – Larry Del Carlo and Larry Mazzola, Jr.]

Motion confirming the appointments of Larry Del Carlo to succeed John Rahaim; term ending February 26, 2013; and Larry Mazzola, Jr. to succeed Owen Stephens, term ending April 28, 2014, to the Treasure Island Development Authority Board of Directors.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointments of Larry Del Carlo, Seat 2, to succeed John Rahaim, term ending February 26, 2013; and Larry Mazzola, Jr., Seat 7, to succeed Owen Stephens, term ending April 28, 2014, to the Treasure Island Development Authority Board of Directors.

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City and County of San Francisco
Tails
Motion: M10-169

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101347 **Date Passed:** November 16, 2010

Motion confirming the appointments of Larry Del Carlo to succeed John Rahaim, term ending February 26, 2013; and Larry Mazzola, Jr. to succeed Owen Stephens, term ending April 28, 2014, to the Treasure Island Development Authority Board of Directors.

November 04, 2010 Rules Committee - REFERRED WITHOUT RECOMMENDATION

November 16, 2010 Board of Supervisors - NOT CONTINUED

Ayes: 4 - Avalos, Campos, Daly and Mirkarimi
Noes: 7 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Mar and Maxwell

November 16, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 2 - Avalos and Daly

File No. 101347

I hereby certify that the foregoing Motion was APPROVED on 11/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101042 MOTION NO. M10-170

[Affirming the Exemption Determination for 10 Bernal Heights Boulevard]

Motion affirming the determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review.

WHEREAS, On July 1, 2010, following a noticed public hearing, the Planning Commission approved a conditional use permit, by Motion No. 18131, for the installation of a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park(the "Project") and, in so doing, determined that the Project was exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31 under categorical exemption Classes 1, 3, and 11, (the "exemption determination"). By letter to the Clerk of the Board, Erick Arguello, on behalf of the Lower 24th Street Merchant Association, ("Appellant"), received by the Clerk's Office on or around August 2, 2010, appealed the exemption determination; and

WHEREAS, On September 7, 2010, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellant, and following the public hearing affirmed the exemption determination; and

WHEREAS, In reviewing the appeal of the exemption determination, this Board reviewed and considered the exemption determination, the appeal letters, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public

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hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 101041 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination; and be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department that the proposed Project is exempt from environmental review; and be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the Project qualifies for a exemption determination under CEQA Guidelines Sections 15301 (Class 1), 15303 (Class 3), and 15311(Class 11).

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco
Tails
Motion: M10-170

File Number: 101042 **Date Passed:** November 16, 2010

Motion affirming the determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review.

September 14, 2010 Board of Supervisors - CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

September 28, 2010 Board of Supervisors - CONTINUED

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

October 19, 2010 Board of Supervisors - CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

November 16, 2010 Board of Supervisors - APPROVED

Ayes: 8 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd and Maxwell

Noes: 3 - Daly, Mar and Mirkarimi

File No. 101042

I hereby certify that the foregoing Motion was APPROVED on 11/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101047 MOTION NO. M10-171

[Disapproving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]

Motion disapproving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission's July 1, 2010, Conditional Use Permit identified as Planning Case No. 2010.0306C, by its Motion No. 18131, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park and to modify the Conditional Use approval under Case No. 2008.1157C to change the number of allowed antennas on the site within the RH-1(D) (Residential, House, Single-Family, Detached) Zoning District, and a 40-X Height and Bulk District, on property located at:

10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548,

be and the same is disapproved.

GOVERNMENT
DOCUMENTS DEPT

DEC - 8 2010

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City and County of San Francisco
Tails
Motion: M10-171

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101047 **Date Passed:** November 16, 2010

Motion disapproving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1.

September 14, 2010 Board of Supervisors - CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

September 28, 2010 Board of Supervisors - CONTINUED

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

October 19, 2010 Board of Supervisors - NOT CONTINUED

November 16, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Maxwell and Mirkarimi

Absent: 1 - Mar

File No. 101047

I hereby certify that the foregoing Motion was APPROVED on 11/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101048 MOTION NO. M10-172

[Preparation of Findings Related to the Conditional Use Appeal for 10 Bernal Heights Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard.

IT IS HEREBY MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2010.0306C, on property located at 10 Bernal Heights Boulevard.

Clerk of the Board
BOARD OF SUPERVISORS

GOVERNMENT
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City and County of San Francisco
Tails
Motion: M10-172

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101048 **Date Passed:** November 16, 2010

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard.

September 14, 2010 Board of Supervisors - CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

September 28, 2010 Board of Supervisors - CONTINUED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Maxwell
Excused: 1 - Mirkarimi

October 19, 2010 Board of Supervisors - CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

November 16, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Maxwell and Mirkarimi
Absent: 1 - Mar

File No. 101048

I hereby certify that the foregoing Motion was APPROVED on 11/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101139 MOTION NO. M10-173

[Process for Nominating and Selecting a Successor Mayor]

Motion directing the Clerk of the Board of Supervisors to propose a process for nominating and selecting a successor Mayor.

WHEREAS, The California Secretary of State has indicated that Mayor Gavin Newsom currently has the most votes for the Office of Lieutenant Governor and, if Mayor Newsom continues to lead, his assumption to that office in January 2011 would create a vacancy in the Office of the Mayor; and

WHEREAS, The City and County of San Francisco Charter Section 13.101.5(b) provides that when a vacancy occurs in the Office of the Mayor, the Board of Supervisors may appoint a successor Mayor; and

WHEREAS, The Charter and San Francisco Administrative Code are silent on the process to be used for the selection of a successor Mayor, but the Board has considerable discretion in creating such a process; and

WHEREAS, It is in the best interest of the City and County of San Francisco that the Board of Supervisors establish a fair and orderly process to be used for the selection of a successor Mayor before such a vacancy arises; now, therefore, be it

MOVED, That the Clerk of the Board of Supervisors for the City and County of San Francisco be directed to prepare and provide a process to govern the Board of Supervisors' nomination and appointment of a successor Mayor; and, be it

FURTHER MOVED, That said process shall be presented for review and approval by the Board of Supervisors at its next regularly scheduled meeting on November 23, 2010.

Supervisor David Chiu
BOARD OF SUPERVISORS

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City and County of San Francisco
Tails
Motion: M10-173

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101139 **Date Passed:** November 16, 2010

Motion directing the Clerk of the Board of Supervisors to propose a process for nominating and selecting a successor to the Mayor.

November 16, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Maxwell and Mirkarimi
Absent: 1 - Mar

File No. 101139

I hereby certify that the foregoing Motion was APPROVED on 11/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101404

Amendment of the Whole
In Board
11/16/2010

MOTION NO. M10-174

[Committee of the Whole – Public Hearing to Take Public Input and Discuss the Process to Appoint a Successor Mayor]

Motion that the Board of Supervisors convene as a Committee of the Whole on November 16, 2010, to take public input and discuss the process by which the Board of Supervisors may exercise its exclusive jurisdiction under the Charter to appoint a successor Mayor for the City and County of San Francisco.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on November 16, 2010, to take public input and discuss the process by which the Board of Supervisors may exercise its exclusive jurisdiction under the Charter to appoint a successor Mayor for the City and County of San Francisco.

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City and County of San Francisco
Tails
Motion: M10-174

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101404 **Date Passed:** November 16, 2010

Motion that the Board of Supervisors convene as a Committee of the Whole on November 16, 2010, to take public input and discuss the process by which the Board of Supervisors may exercise its exclusive jurisdiction under the Charter to appoint a successor Mayor for the City and County of San Francisco.

November 16, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Maxwell and Mirkarimi
Absent: 1 - Mar

November 16, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Maxwell and Mirkarimi
Absent: 1 - Mar

File No. 101404

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 11/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101237 MOTION NO. M10-175

[Appointment, Planning Commission - Rodney Fong]

Motion approving the Mayor's appointment of Rodney Fong to the Planning Commission, term ending July 1, 2014.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor's has submitted a communication notifying the Board of Supervisors of the nomination of Rodney Fong to the Planning Commission, received by the Clerk of the Board on September 24, 2010; and

WHEREAS, The Board of Supervisors, by Motion No. 02-80 established a process to review the Mayor's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Rodney Fong to the Planning Commission, term ending July 1, 2014.

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City and County of San Francisco
Tails
Motion: M10-175

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101237 **Date Passed:** November 23, 2010

Motion approving the Mayor's appointment of Rodney Fong to the Planning Commission term ending July 1, 2014

November 18, 2010 Rules Committee - REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT

November 23, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101237

I hereby certify that the foregoing Motion was APPROVED on 11/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101407 Amended in Board 11/23/2010 MOTION NO. M10-176

[Committee of the Whole - December 7, 2010 - Public Hearing to Acquire Various Real Properties by Eminent Domain for Transbay Transit Center Program]

Motion that the Board of Supervisors hold a public hearing on December 7, 2010, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of various real properties by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

MOVED, That the Board of Supervisors shall hold a public hearing on December 7, 2010, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of the following real properties by eminent domain for the public purpose of constructing the Transbay Transit Center Program:

- 85 Natoma Street #1 (File Nos. 101408 and 101409) (Block No. 3721, Lot No. 109)
- 85 Natoma Street #2 (File Nos. 101411 and 101412) (Block No. 3721, Lot No. 110)
- 85 Natoma Street #3 (File Nos. 101414 and 101415) (Block No. 3721, Lot No. 111)
- 85 Natoma Street #4 (File Nos. 101417 and 101418) (Block No. 3721, Lot No. 112)
- 85 Natoma Street #5 (File Nos. 101420 and 101421) (Block No. 3721, Lot No. 113)
- 85 Natoma Street #7 (File Nos. 101423 and 101424) (Block No. 3721, Lot No. 115)

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- 85 Natoma Street #9 (File Nos. 101426 and 101427)
  (Block No. 3721, Lot No. 117)
- 85 Natoma Street #C1 (File Nos. 101429 and 101430)
  (Block No. 3721, Lot No. 118)
- 60 Tehama Street (File Nos. 101432 and 101433)
  (Block No. 3736, Lot No. 088)
- 564 Howard Street (File Nos. 101435 and 101436)
  (Block No. 3721, Lot No. 019)
- 568 Howard Street (File Nos. 101438 and 101439)
  (Block No. 3721, Lot No. 020)
- 13 parking easement interests across and through 85 Natoma Street (File Nos. 101441 and 101442)
  (Benefitted parcels Block No. 3721, Lot Nos. 093-105; burdened parcels Block 3721, Lot Nos. 109-118).

City and County of San Francisco
Tails
Motion: M10-176

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101407 **Date Passed:** November 23, 2010

Motion that the Board of Supervisors hold a public hearing on December 7, 2010, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of various real properties by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

November 23, 2010 Board of Supervisors - AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

November 23, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101407

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 11/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101455 MOTION NO. M10-177

[Committee of the Whole – Public Hearing to Create a Process for the Appointment of a Successor Mayor; Possibly Amending Rules of Order]

Motion that the Board of Supervisors convene as a Committee of the Whole on November 23, 2010, at 3:00 p.m., to consider and approve a one-time process to appoint a successor Mayor, if a vacancy occurs; possibly amending the Rules of Order by adding a new Section 7 creating said process; and waiving Rule 4.38, which refers amendments to the Rules of Order to the Rules Committee.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on November 23, 2010, at 3:00 p.m., to consider and approve a one-time process to appoint a successor Mayor, if a vacancy occurs; possibly amending the Rules of Order by adding a new Section 7 creating said process; and waiving Rule 4.38, which refers amendments to the Rules of Order to the Rules Committee.

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City and County of San Francisco
Tails
Motion: M10-177

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101455 **Date Passed:** November 23, 2010

Motion that the Board of Supervisors convene as a Committee of the Whole on November 23, 2010, at 3:00 p.m. to approve a one-time process to appoint a successor Mayor, if a vacancy occurs; possibly amending the Rules of Order by adding a new Section 7, creating said process; and waiving Rule 4.38, which refers amendments to the Rules of Order to the Rules Committee.

November 23, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101455

I hereby certify that the foregoing Motion was APPROVED on 11/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

AMENDED IN BOARD
11/23/10

FILE NO. 101457 MOTION NO. M10-178

[Creating a Process for the Appointment of a Successor Mayor]

Motion to consider and approve a one-time process to appoint a successor Mayor, if a vacancy occurs and create said process.

WHEREAS, On November 16, 2010, the San Francisco Board of Supervisors approved Motion No. 10-173 contained in File No. 101139; directing the Clerk of the Board to prepare and provide a process to govern the Board of Supervisors nomination and appointment of a successor Mayor; and

WHEREAS, The Clerk of the Board has prepared a process incorporating all local and state provisions for the nomination and appointment of a successor Mayor; now, therefore, be it

MOVED, That the Board of Supervisors consider and approve the proposed process contained in File No. 101457 as "Exhibit A."

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City Hall
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AMENDED EXHIBIT A

PROPOSED PROCESS FOR SUCCESSOR MAYOR NOMINATION AND APPOINTMENT

A. Introduction of a Motion for Action Before the Board of Supervisors (Board)

A Board Member(s) may introduce to the Clerk of the Board two motions to 1) sit as a Committee of the Whole, and 2) Consider Appointment of a Successor Mayor. The Clerk of the Board shall open a hearing file for a Committee of the Whole and place a Special Order before the full Board, at the next available meeting, to take public comment, receive nominations and make an appointment by a majority vote of all Board Members.

B. Meeting Organization and Public Comment

The President will open the hearing to receive comments from the Board Members. The President will then open for public comment. Once all public comment has been heard, the President will close public comment. The President will then open the floor for nominations and accept up to one nomination from each Board Member. Once all nominations have been received, the President will bring the matter back to the Board Members to begin voting on the nominations, which will be voted upon in the order received. Once a nominee has been selected by the Committee of the Whole by a at least six votes, the President will adjourn as the Committee of the Whole and reconvene as the Board of Supervisors to consider the Motion to Appoint a Successor Mayor.

C. Receive and Consider Nominations for Successor Mayor

Nomination Principles

1. During the hearing, Board Members shall only nominate San Francisco electors.

2. A Board Member may not nominate him/herself.

3. A nominee does not have to accept a nomination and can withdraw his/her name from consideration without a second. If a nominee withdraws his/her nomination, nominations may be reopened by motion, seconded, and a majority vote.

Nomination Procedures

1 Nominations shall be made from the floor and can be made up until the time that Board Members are ready to vote. As is the custom in the Board Chamber, the Crestron system roster will be used to facilitate the order of nominations.

2. A second for a nomination is not necessary.

3. The nomination process continues until Board Members stop making nominations.

4. If a Board Member accepts a nomination, he/she must leave the Chamber and be sequestered until voting on his/her nomination is concluded. During this period, communications between the sequestered Board Members and the Board Members in the Chamber may not take place. To ensure the integrity of the process, laptops will be closed, cell phones turned off, and written or verbal messages to the sequestered Board Member will not be allowed. While sequestered, a nominee may watch the hearing on television.

D. Discussion and Voting for Successor Mayor

1. After nominations are closed, Board Members have the opportunity to discuss the nomination. The Clerk shall conduct a roll call vote of the eligible Board Members. Voting will be conducted on nominations in the order in which they were received. The selection is determined by majority vote of all members. No selection shall be made with fewer than six votes regardless of the number of Board Members nominated.

2. A Board Member shall not speak more than twice on any particular nomination and only after each Board Member has had an opportunity to speak. After obtaining the floor, a Board Member shall not be allowed to speak more than 10 minutes, except by permission of a majority of the Board Members present.

3. Once a nominee has been selected by the Committee of the Whole, the President/ President Pro Tempore shall adjourn the Committee of the Whole and reconvene the Board of Supervisors to consider the motion to appoint.

4. Once the Board is reconvened, any nominee who is a member of the Board must remain sequestered until final action on the motion to appoint the successor Mayor.

5. The motion to appoint should be amended to include the selected nominee and is voted on by the Board as amended.

6. An appointment is not final until there is a vacancy, and the Board must ratify any prospective appointment when the vacancy arises.

7. The appointment cannot be reconsidered after it is final unless the nominee declines to serve.

E. Appointment of Successor Mayor

1. After successful Call of the Roll to appoint a successor mayor:

   a) if the appointment is prospective, it will become effective when a vacancy occurs and after ratification by the Board;

b) if the vacancy has occurred, two members of the Board shall escort the new Mayor to the Chamber where the oath of office will be administered by the Presiding Judge;

c) thereafter, the new Mayor may express appreciation to the Board Members for entrusting him/her the responsibility of Mayor.

F. Other Considerations

The President or President Pro Tempore

The President presides over the hearing unless or until he/she is nominated. If nominated, the President shall appoint a President Pro Tempore and withdraw from the meeting pursuant to Board Rule 6.11 and the Political Reform Act Cal. Gov't Code §§87100 et seq. The appointment shall not extend beyond consideration of his or her nomination or adjournment of the meeting.

City and County of San Francisco
Tails
Motion: M10-178

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101457 **Date Passed:** November 23, 2010

Motion to consider and approve a one-time process to appoint a successor Mayor, if a vacancy occurs and create said process.

November 23, 2010 Board of Supervisors - AMENDED

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar and Mirkarimi

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd and Maxwell

November 23, 2010 Board of Supervisors - NOT APPROVED AS AMENDED

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar and Mirkarimi

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd and Maxwell

November 23, 2010 Board of Supervisors - AMENDED

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar and Mirkarimi

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd and Maxwell

November 23, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

November 23, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101457

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 11/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101348 MOTION NO. M10-179

[Appointments – Food Security Task Force]

Motion appointing Karen Gruneisen, Zetta Reicker, and Deloris McGee, to the Food Security Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Food Security Task Force, pursuant to the provisions of the San Francisco Health Code, Sections 470.1 and 470.2, for the terms specified:

Karen Gruneisen, seat 7, new appointment, must be a representative of a community-based organization that provide nutritional support and increase the food security of San Francisco residents, for a term indefinite. The community member shall be nominated by the Task Force and may include but are limited to representatives from organizations serving food in the following program types: home-delivered meals; congregate meals for seniors; food bank; free dining room; multi-service agency serving families and youth; shelter meals; and faith-based organization. No organization shall have more than one representative on the Task Force.

Zetta Reicker, seat 15, new appointment, must be from the San Francisco Unified School District, for a term indefinite.

Deloris McGee, seat 16, new appointment, a non-voting member, must be a member of the public, for a term indefinite.

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City and County of San Francisco
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Motion: M10-179

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 101348 **Date Passed:** December 07, 2010

Motion appointing Karen Gruneisen, Zetta Reicker, and Deloris McGee, for indefinite terms, to the Food Security Task Force.

November 18, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

November 18, 2010 Rules Committee - RECOMMENDED.

December 07, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101348

I hereby certify that the foregoing Motion was APPROVED on 12/7/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101397 MOTION NO. M10-180

[Appointment, Bicycle Advisory Committee]

Motion appointing Edward Nicolson, term ending November 19, 2012, to the Bicycle Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Bicycle Advisory Committee, pursuant to the provisions of Administrative Code Section 5.130 et seq., and amended by Ordinance No. 179-02, for the term specified:

Edward Nicolson, seat 4, succeeding Jared Washkowitz, resigned, must be a nominee of District 4 Supervisor. The member shall serve a two-year term ending November 19, 2012 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

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Tails
Motion: M10-180

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101397 **Date Passed:** December 07, 2010

Motion appointing Edward Nicolson, term ending November 19, 2012, to the Bicycle Advisory Committee.

November 18, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

November 18, 2010 Rules Committee - RECOMMENDED..

December 07, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101397

I hereby certify that the foregoing Motion was APPROVED on 12/7/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101235 MOTION NO. M10-181

[Confirming Appointment, San Francisco Redevelopment Agency - Agnes Briones Ubalde]

Motion confirming the appointment of Agnes Briones Ubalde to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2014.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointment by the Mayor of the following designated person as a member of the San Francisco Redevelopment Agency, pursuant to Section 33110 of the California Health and Safety Code, for the term specified:

Agnes Briones Ubalde succeeding Linda Cheu, to serve a four-year term ending September 3, 2014.

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City and County of San Francisco
Tails
Motion: M10-181

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101235 **Date Passed:** December 07, 2010

Motion confirming the appointment of Agnes Briones Ubalde to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2014.

November 18, 2010 Rules Committee - RECOMMENDED

December 07, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101235

I hereby certify that the foregoing Motion was APPROVED on 12/7/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101236 MOTION NO. M10-182

[Confirming Appointment, Port Commission - F.X. Crowley]

Motion confirming the appointment of F.X. Crowley to the Port Commission, term ending May 1, 2014.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointment by the Mayor of the following designate to serve as a member of the San Francisco Port Commission, pursuant to Section 4.114 of the San Francisco Charter, for the term specified:

F.X. Crowley, succeeding Michael Hardeman, to serve a four-year term ending May 1, 2014.

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Tails
Motion: M10-182

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101236 **Date Passed:** December 07, 2010

Motion confirming the appointment of F X. Crowley to the Port Commission, term ending May 1, 2014.

November 18, 2010 Rules Committee - RECOMMENDED

December 07, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101236

I hereby certify that the foregoing Motion was APPROVED on 12/7/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101285 MOTION NO. M10-183

[Confirming the Reappointment of Edwin Lee as City Administrator]

Motion confirming the reappointment of Edwin Lee to a five-year term as City Administrator under Charter Section 3.104.

WHEREAS, Charter Section 3.104 provides that "The Mayor shall appoint or reappoint a City Administrator, subject to confirmation by the Board of Supervisors"; and

WHEREAS, Mayor Newsom appointed Edwin Lee as City Administrator on May 10, 2005 and the Board of Supervisors confirmed the appointment by Board Motion No. M05-79, adopted May 24, 2005; and

WHEREAS, The Mayor has reappointed Mr. Lee to another term as City Administrator, and,

WHEREAS, The Board of Supervisors wishes to confirm the reappointment of Mr. Lee; now therefore, be it

MOVED, That the Board of Supervisors confirms the re-appointment of Edwin Lee as City Administrator, for a term ending five years from the effective date of this motion.

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Motion: M10-183

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101285 **Date Passed:** December 07, 2010

Motion confirming the reappointment of Edwin Lee to a five-year term as City Administrator under Charter Section 3.104.

November 18, 2010 Rules Committee - RECOMMENDED

December 07, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101285

I hereby certify that the foregoing Motion was APPROVED on 12/7/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101434 MOTION NO. M10-184

[Committee of the Whole – December 14, 2010 – Ground Lease of Redevelopment Agency at 701 Golden Gate Avenue to Mary Helen Rogers Senior, LP]

Motion scheduling the Board to sit as a Committee of the Whole on December 14, 2010 at 3 p.m. to hold a public hearing on Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 768, Lot 14 commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California (the "Site") in San Francisco's Western Addition neighborhood, to MHRSC, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on December 14, 2010 at 3 p.m. to hear Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 768, Lot 14 commonly known as 701 Golden Gate Avenue, southwest corner Golden Gate Avenue and Franklin Street, San Francisco, California (the "Site") in San Francisco's Western Addition neighborhood, to MHRSC, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households.

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Motion: M10-184

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101434 **Date Passed:** December 07, 2010

Motion scheduling the Board to sit as a Committee of the Whole on December 14, 2010, at 3:00 p.m., to hold a public hearing on the Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block No. 768, Lot No. 14, commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California in San Francisco's Western Addition neighborhood, to Mary Helen Rogers Senior Community, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households.

December 07, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101434

I hereby certify that the foregoing Motion was APPROVED on 12/7/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101541 MOTION NO. M10-185

[Appointment, Treasure Island Development Authority Board of Directors - Mark Dunlop]

Motion approving the Mayor's appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending February 26, 2012.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, received by the Clerk of the Board on December 1, 2010; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's appointment to the Treasure Island Development Authority Board of Directors; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending February 26, 2012.

Clerk of the Board
BOARD OF SUPERVISORS

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File Number: 101541 **Date Passed:** December 14, 2010

Motion approving the Mayor's appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending February 26, 2012.

December 14, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101541

I hereby certify that the foregoing Motion was APPROVED on 12/14/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101472 MOTION NO. M10-186

[Appointments – SOMA Community Stabilization Fund Community Advisory Committee]

Motion appointing Conny Ford, Ada Chan, Allan Manalo, Judith Baker, and Thomas Temprano, terms ending April 27, 2011 and April 27, 2012, to the SOMA Community Stabilization Fund Community Advisory Committee, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the SOMA Community Stabilization Fund Community Advisory Committee, pursuant to the provisions of Planning Code Section 318 and Ordinance No. 217-05, for the terms specified:

Conny Ford, seat 2, succeeding herself, term expired, must have expertise in employment development and/or represents labor, for the unexpired portion of a two-year term ending April 27, 2012.

Ada Chan (residency requirement waived,) seat 4, succeeding herself, term expired, must have affordable housing expertise and familiarity with the SOMA neighborhood, for the unexpired portion of a two-year term ending April 27, 2011.

Allan Manalo, seat 5, succeeding Angelica Cabande, term expired, must represent a community-based organization in SOMA, for the unexpired portion of a two-year term ending April 27, 2011.

Judith Baker, seat 6, succeeding herself, term expired, must provide direct services to SOMA families, for the unexpired portion of a two-year term ending April 27, 2012.

Thomas Temprano, seat 7, succeeding Steven Sarver, term expired, must have small business expertise and a familiarity with the SOMA neighborhood, for the unexpired portion of a two-year term ending April 27, 2012.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

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1. The membership of the SOMA Community Stabilization Fund Community Advisory Committee has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Ada Chan, an incumbent, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the SOMA Community Stabilization Fund Community Advisory Committee.
3. The SOMA Community Stabilization Fund Community Advisory Committee has attempted to fill the position, for which Ada Chan was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Ada Chan is qualified to serve on the SOMA Community Stabilization Fund Community Advisory Committee.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the SOMA Community Stabilization Fund Community Advisory Committee at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Ada Chan, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco
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File Number: 101472 **Date Passed:** December 14, 2010

Motion appointing Conny Ford, Ada Chan, Allan Manalo, Judith Baker, and Thomas Temprano, terms ending April 27, 2011 and April 27, 2012, to the SOMA Community Stabilization Fund Community Advisory Community.

December 02, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

December 02, 2010 Rules Committee - RECOMMENDED..

December 14, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101472

I hereby certify that the foregoing Motion was APPROVED on 12/14/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101477 MOTION NO. M10-187

[Appointment – Workforce Investment Community Advisory Committee]

Motion appointing Sheryl Davis, term ending February 19, 2012, to the Workforce Investment Community Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Workforce Investment Community Advisory Committee, pursuant to the provisions of Ordinance No 270-07, for the term specified:

Sheryl Davis, seat 1, succeeding Corrin Buchanan, must be staff and/or Board member of 501(c)3 organizations. Preferably the Committee Member should be providing workforce development services or serving low-income residents and others with barriers to employment, for the unexpired portion of a two-year term ending February 19, 2012.

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Motion: M10-187

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File Number: 101477 **Date Passed:** December 14, 2010

Motion appointing Sheryl Davis, term ending February 19, 2012, to the Workforce Investment Community Advisory Committee.

December 02, 2010 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

December 02, 2010 Rules Committee - RECOMMENDED.

December 14, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101477

I hereby certify that the foregoing Motion was APPROVED on 12/14/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101501 **MOTION NO.** M10-188

[Final Map 5461 - Hunters View]

Motion approving Final Map No. 5461, a 5-lot subdivision for condominium purposes, being a 219 unit residential condominium project; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Hunters View Development Documents.

MOVED, That the certain map entitled "Final Map No. 5461, a 219 unit residential condominium within 5 buildable lots, being a merger and re-subdivision of a portion of Lot 27 of Assessor's Block 4720 as shown on that certain map entitled" Parcel Map of Portion of Block 4720, The New Hunters Point Community Unit 1" Filed for Record un Book W of Maps. Pages 36-39, San Francisco City and County Records and a portion of the real property described in Book 3989, at Page 397, Official Records of the City and County of San Francisco," comprising 8 sheets, approved December 3, 2010 by Department of Public Works Order No. 179,008 together with the Public Improvement Agreement dated December 8, 2010 by and between Hunters Point Affordable Housing, Inc., a California nonprofit public benefit corporation, and the City and County of San Francisco (City) are hereby approved and said map is adopted as an Official Final Map of the Hunters View for Assessor's Block 4624, Lots 3, 4, and 9, and Assessor's Block 4720, Lot 27; A copy of said Public Improvement Agreement is on file with the Clerk of the Board in File No. 101501 and is incorporated herein by reference; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City

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Planning Department, by its letter dated December 10, 2008, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code. A copy of said letter is on file with the Clerk of the Board in File No. 101501 and is incorporated herein by reference; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerks statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edward D. Reiskin
Director of Public Works

RECOMMENDED:

Bruce R. Storrs
City and County Surveyor

City and County of San Francisco
Tails
Motion: M10-188

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101501 **Date Passed:** December 14, 2010

Motion approving Final Map No. 5461, a 5-lot subdivision for condominium purposes, being a 219 unit residential condominium project; approving a Public Improvement Agreement related to the Final Map and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Hunters View Development Documents.

December 14, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101501

I hereby certify that the foregoing Motion was APPROVED on 12/14/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 101525 MOTION NO. M10-189

[Committee of the Whole - Public Hearing to Establish the Civic Center Community Benefit District]

Motion directing the Board of Supervisors to hold a public hearing on January 4, 2011, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to establish the Civic Center Community Benefit District.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on January 4, 2011, at 3:00 p.m., to conduct a public hearing on a Resolution to establish the Civic Center Community Benefit District.

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City and County of San Francisco
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Motion: M10-189

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File Number: 101525 **Date Passed:** December 14, 2010

Motion directing the Board of Supervisors to hold a public hearing on January 4, 2011, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to establish the Civic Center Community Benefit District.

December 14, 2010 Board of Supervisors - APPROVED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101525

I hereby certify that the foregoing Motion was APPROVED on 12/14/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board